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LIFE, SPEECHES,  
STATE PAPERS AND PUBLIC SERVICES  
OF  
GOV. OLIVER P. MORTON.

EDITED BY

WILLIAM M. FRENCH.

Lives of great men all remind us  
We can make our lives sublime;  
And departing, leave behind us  
Footprints on the sands of time.  
*Longfellow.*

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## P R E F A C E

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The author of these pages wishes to assure the reader that no selfish motive prompts him to present to the public, the life of Indiana's most distinguished Governor. It is common for men to applaud those who have benefited them, and to flatter those of whom they expect favor. But it is no personal advantage, either realized, or anticipated, which induces us to narrate the life and public services of the subject of this biography.

Our situation is such that we neither need, nor desire any appointment the Governor could confer upon us; and never, during our life have we been the recipient of a single *personal* kindness at his hands.

The sole object of this work is to present to the American people a model character—a man whose superior energy, executive powers and liberal sentiments, especially qualify him for the performance of the great labors assigned him in the most important period of our nation's history; a native of the West, whose untiring industry,

indomitable will, lofty patriotism, and unbounded generosity have immortalized his name, and endeared to him every lover of liberty; an intellectual and moral giant, whom neither flattery nor persecution could divert from his high purposes.

W. M. FRENCH.

INDIANAPOLIS, Indiana.

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# LIFE, SPEECHES,

STATE PAPERS AND PUBLIC SERVICES

OF

## GOVERNOR OLIVER P. MORTON.

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### CHAPTER I.

Introductory remarks—Uses of biography—Morton's character pre-eminently instructive—His early boyhood—Early school days—Letter of Prof. S. K. Hoshour, one of his first teachers—Enters Miami University—Distinguishes himself as a debater—Commences study of law—Marries—Is admitted to the bar—Is elected judge—Heads republican state ticket in 1856—Takes an active part in canvass of 1860.

A knowledge of the errors of our fellows enables us to avoid the committal of similar ones, while an acquaintance with their virtues stimulates us to noble endeavors. Hence it has been truly said, that every man's life is instructive. There perhaps never lived an individual, whatever his station, whose biography might not be rendered highly productive of good to mankind.

But there are some, the importance of whose relations to society, and the stirring events of whose lives, place them more prominently before us than others.

Every act in the great drama of life requires its leading characters, and every age produces them. It is of these we usually write biography; not because such persons are really more deserving of attention than those who stand in the social scale much below them: for, just as the smallest wheel in the machine is as essential as the largest, so the most apparently insignificant member of society is as necessary to the social fabric as the most distinguished: but for the reason that their conspicuousness renders their character more attractive and instructive to the masses than that of ordinary men.

We generally find, or expect to find, in the development of great men, a manifestation of those superior traits of which the common multitude are usually considered devoid. And the study of human nature only becomes interesting to the majority of us when it rises pre-eminently above the vulgar level.

When we are hurrying along a road through the forest, with our minds intently fixed upon some object to be attained at the end of our journey, it must be a very extraordinary tree which shall attract our attention. And so when men are rushing along the path of life, wholly engrossed in their individual interests, it must be a very towering representative of the race that shall induce them to pause, survey and investigate. Such a representative is found in Governor O. P. Morton, a man

whose remarkable energy and superior genius have placed him among America's greatest men.

Oliver Perry Morton was born in Wayne county, Indiana, August 4th, 1823. During his boyhood he was put to the hatting trade with his brother; but it was soon discovered that he was better adapted to another sphere of action. His parents both dying while he was very young, he was placed, some years, under the care of his grandmother and two aunts. During this period, it seems, he was sent back to Wayne county and put under the tuition of Prof. S. K. Hoshour, then principal of the Wayne County Seminary, now Professor of Modern Languages in the N. W. C. University, at Indianapolis. It would appear from the following letter which we have lately received from the Professor, that the Governor, in his boyhood, was not so promising as we generally expect to find the prospective great man:

“I had pupils from different sections of the State, and some from other States, among whom was O. P. Morton. He entered the school, I think, in 1837, and was, probably, then in his fourteenth year. He hailed from Hamilton county, Ohio—a timid and rather verdant looking youth—too shy to bear, with head erect, a master's look. He was a pliant student, always ready to obey the ‘rules of the school.’ His fellow-students in the institution at that time, were William Wallace, the present

Clerk of the Marion County Court; his brother Lew (now General) Wallace; Jacob Julian, and, occasionally, Laz. (now General) Noble. His mental manifestations, at that time, were not equal to those of some of his school mates; but his steady demeanor and persistent application to his studies, gave him a respectable position in his classes. He was, during his attendance in my school, in the incipency of his chrysalis state; and, of course, it was difficult to decide what kind of a winged existence would emerge from that state—whether an ordinary or a ‘big-bug.’ The larva, physically, indicated a large personality; but as that is not always an index of a corresponding intellectuality, future symmetry of the whole was necessarily a matter of conjecture.

“If some knowing genius had then suggested to me that the future Governor, par excellence, of Indiana, was then in the groups around me, I would have probably sought him in a more bustling form, with brighter eyes and a more marked head than Oliver’s. But time has shown that in him was the *mens sana in corpore sano*, which the college, the acquisition of jurisprudence—legal gymnastics at the bar—the political crisis of the past and the present exigencies of the nation, have fully developed, and now present him the man for the most responsible position in the gift of a free people.

“Long may he live and benefit his country!

“S. K. HOSHOUR.”

After leaving the high school of Mr. Hoshour, young Morton entered the Miami University, at Oxford, Ohio, and it appears, from what is said of his career in this institution, that he had greatly improved upon what he was at Centerville, under Prof. Hoshour; for we hear of him at Oxford, as the best debater in college—a star member of the Beta Theta Pi Society. It is here that we observe in the boy the first indications of what the man will be. It is here we see a manifestation of those extraordinary argumentative powers which in more recent years have made him a renowned lawyer, and the acknowledged founder of the republican party in Indiana.

Leaving the Miami University without graduating, he again returned to Centerville, Indiana, and began the study of law with the Hon. John S. Newman. Here he bent all the energies of his mind to the single object of thoroughly preparing himself for the practice of his profession. Like Webster, he seemed impressed with the idea that, "preparation makes the man," and his legal acquirements show the amount of importance he attached to this idea.

On the 15th of May, 1845, he was married to Miss Lucinda M. Burbank, of Centerville, daughter of Isaac Burbank, a highly respectable and successful merchant of that place. Miss Burbank was a lady of rare intelligence and refinement, and has, since becoming Mrs. Morton, during the present unhappy

civil war, honored both herself and her husband, by her untiring, benevolent efforts in behalf of Indiana Volunteers.

In 1846, Oliver P. Morton was admitted to the bar, and soon took rank among the first lawyers of his State, both as a jurist and an advocate. His speeches were ever distinguished for their strength and directness. His eloquence was more of the convincing than of the ornate order.

The public becoming apprised of his superior abilities, both natural and acquired, he was not long in obtaining a large and lucrative practice.

In the year 1852, he was elected Circuit Judge; and, although he continued in this office but one year, he acquired a reputation for fairness and thoroughness, which will not soon be forgotten by the bar of his circuit.

In the spring of 1854, the democratic party, of which Morton had always been a member, repealed the Missouri Compromise, and passed the Kansas Nebraska Bill. These remarkable proceedings involved a change in the democratic policy, as will be hereafter shown in one of Morton's speeches, which caused a number of those formerly known as free-soil democrats, to renounce their connection with the time-honored party. O. P. Morton was among this number. He had ever been a friend to free trade, but never an advocate of slavery extension; and when the demand was: Either sacrifice your principles or leave your party, he cheerfully did the latter.

From that time forward, to the breaking out of the rebellion, he coöperated with the republican party, but during the progress of the rebellion he has known no party but the one for the Union.

In 1856, he was nominated by acclamation, by the republicans, as candidate for Governor of Indiana.

In accepting this nomination, he by no means repudiated any of the principles maintained by the democracy previous to 1854. The old tariff and internal improvement questions no longer constituted the political issues between the two great parties of the country, and the vital part of the platform adopted by the republicans (that part which referred to slavery), was essentially the same as the expressions of the democratic party touching the same subject, in the years 1848 and 1849.\* Hence, it can never be truthfully said that Morton discarded any of his democratic principles in embracing republicanism.

On the other hand, it must be acknowledged that the democratic party having disclaimed its ancient freesoil doctrines, and the extension of slavery becoming the issue, the republican party was the only one with which he could conscientiously unite.

Having consented to head the republican State ticket, Morton made a thorough and vigorous canvass of the entire State, in company with his democratic competitor, Ashbel P. Willard; and it is

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\* See Morton's reply to Judge Turpie, page 48.

universally admitted, that in this campaign, he did more for the establishment of the principles of republicanism than any other man.

So much, however, is attached to the circumstance of success that he never received full credit for the amount of labor he performed during the summer of 1856. The mere fact that he was not elected, detracted largely from the brilliancy and effectiveness of his canvass, in the estimation of some. The difficulties attending his task were never fully taken into consideration. He had an old and popular party to combat, a party which had acquired prestige by many successive victories, and the mere sound of whose name charmed the ears of thousands, who never stopped to inquire as to the consistency of its course or the tendency of its principles. His antagonist was eloquent, affable and popular, the champion of democracy in Indiana, whose thrilling appeal to the passions of the crowd, were considered more than sufficient to offset the earnest logic of the republican candidate.

Such were the difficulties with which Morton had to contend, in the campaign of 1856; and when to these is added the youth of the republican party, the large vote he received may justly be considered a victory.

It was about this time that the Governor's character began fully to develop itself, and the superiority of his mind to be generally acknowledged.

His had been a rather slow growth, but a healthy



one. He was not a hot-bed plant prematurely developed, and too tender to endure the drouths and freshets of life; but a normal organization, endowed with more than usual vitality and power of endurance, and the trials and irregularities of life, so far from injuring him, only strengthened him and brought out more fully those extraordinary, intellectual and executive faculties, which have, within the past few years, accomplished so much and shone so brilliantly.

His case is one of the many which might be cited in proof of the fact that slow boys do not always make slow men, and that a manifestation of dullness on the part of a youth, is no just cause for discouragement, but should only be an incentive to labor.

From the end of the political campaign of 1856, to the commencement of that of 1860, Morton asked no honors of his party, but, nevertheless, labored energetically, constantly, for the promotion of its success. At political conventions, he was always regarded as the most efficient of workers. His sound judgment and eminently practical views of things, qualified him to act well those important parts which were assigned him. He was ever regarded as the best of political engineers, and held in the highest estimation as a framer of policy. We venture the assertion, that the records of the republican party in Indiana, will show that the great leading spirit of that organization, from its

very commencement to 1860, was Oliver P. Morton; that he had more to do in directing its movements and establishing its doctrines than any other man in the State.

The year 1860 brought with it some very important changes in the political aspect of the country.

The discussion of the admission of Kansas under the Lecompton constitution, had caused a revolution in the democratic party. The unjustifiable demands made upon the Northern democracy by the Southern politicians, had led to the organization, throughout the North-west, of an anti-Lecompton democratic party; and in many localities this party, being weak, united with the republicans. Meantime the pro-slavery democrats took broader ground in favor of Southern interests, maintaining it to be the true policy of the government to protect and extend slavery everywhere.

In this condition of things the republican party of Indiana again presented its ticket to the people. The candidates for the State offices were: Henry S. Lane for Governor, O. P. Morton, for Lieut. Governor, Wm. A. Peelle for Secretary of State, Jonathan S. Harvey for Treasurer of State, Albert Lange for Auditor of State, James G. Jones for Attorney General, Benjamin Harrison for Reporter of Supreme Court, John P. Jones for Clerk of Supreme Court, and Miles J. Fletcher for Superintendent of Public Instruction.

Morton was placed on the ticket as candidate for

Lieut. Governor, as one expresses it, "for reasons which were, at that time, supposed to have some weight, but which have since faded so completely, that it seems almost incredible that he was ever thought of for so inferior a position."

With his usual energy he entered upon the labor of canvassing the State, and never was work done more earnestly or thoroughly. Commencing at Terre Haute, he made a tour of the entire State, traveling most of the time in company with his competitor, Judge Turpie. He attended, however, a number of mass meetings, and made several powerful and effective speeches, over and above those of his own canvass. No candidate on the State ticket labored so constantly and earnestly as O. P. Morton, perhaps, for the reason that they had not the physical endurance to support them in such arduous, unremitting labor as he performed.

It is a matter worthy of note, that Morton, during his political campaigns, although the most zealous and persistent of workers, never had recourse to alcoholic stimuli.

The author met him at several points during his canvass in 1860, had the best of opportunities for observing him privately, and always found him temperate and moral in all his habits.

It may also be truly said, that he is one of the very few politicians who are no less courteous after the election than before.

The author on many occasions remarked, during

the canvass of 1860, that Morton never went out of his way to shake hands with a man, nor slighted him, however low his station, upon coming in contact with him, and he has observed the same disposition in him since he has become the Governor of the State.

As before remarked, the Governor opened the canvass of 1860 at Terre Haute; and the able comprehensive speech he delivered there, is presented in our next chapter.

## CHAPTER II.

Speech delivered at Terre Haute, March 18th, 1860.

## POPULAR SOVEREIGNTY.

Popular Sovereignty, as defined by its most distinguished teachers, is the right of a people of a Territory to form and regulate their domestic institutions in their own way; or, in other words, it is the absolute right of self-government in the people of a Territory. If this right exists, it is an inherent right; it is not derived from any clause of the Constitution of the United States. If the people of a Territory have the right of self-government, they have equally the right to choose their form of government, organize and inaugurate it. They have not only the right to elect their legislature, but to elect their governor, judges and all the officers of state; and Congress has no power to provide for them a form or constitution of government through the medium of the Nebraska Bill, or otherwise. Thus it will be seen, that the Territories, instead of being made mere dependencies of the General Government—in a state of pupilage and preparation for final admission into the Union as States, and for the enjoyment of equal rights and privileges with the other States—would be absolute and independent

sovereignties, outside the Union, having rights and privileges greatly exceeding those of the States in the Union. The Constitution of the United States forbids any *State* to enter into any treaty, alliance or confederation; to make anything but gold and silver coin a tender in payment of debts; to pass any law impairing the obligation of contracts; or to lay any import duties on imports or exports, except what may be necessary for executing inspection laws; to grant letters of marque and reprisal—but the Territories would have power to do all these things, for the constitutional prohibition extends only to the States, and it will require the most latitudinarian construction to make it apply to the Territories. It seems to be conceded, theoretically at least, that the Constitution should be strictly construed, and the Constitution says that *no State* shall do these things; beside, it provides expressly, “that powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” The Constitution of the United States was made for the Union, and applies, in its terms, to the States in the Union. It was not intended to apply and provide for two classes of States—one in the Union and the other out. Such a form of government would indeed be complex and anomalous. This view of the Constitution was conceded by all parties to be correct, in 1820, in the passage of the Missouri Compromise, it being then admitted that

the clause of the Constitution providing for the recapture of slaves, did not extend to the Territories, but was applicable only to States; and that, in the absence of any act of Congress providing for such recapture in the Territories, the master would have no such right. Mr. Benton, in his great essay, reviewing the Dred Scott decision, enters into an elaborate argument and overwhelming citation of opinions and authorities, showing the Constitution, in its prohibitions, is applicable, not to Territories, but to States. But if we adopt the other view of the Constitution—that view which received the sanction of all parties, all congresses, all State legislatures and all courts, for more than fifty years from its adoption—these difficulties and absurdities are swept away. That view regarded the Territories as dependencies, as communities in a state of minority, to be governed, trained and prepared for admission into the Union as States. The power of the Federal government to control the Territories may be successfully derived from two sources: First, As an inevitable incident of the right to acquire territory. This principle is so simple and familiar as scarcely to require illustration; the power to acquire without the power to govern, whether in individuals or governments, would be most barren and unprofitable. Secondly, From that clause of the Constitution which provides that Congress shall have power to dispose of and make all needful rules and regulations respecting the territory, or

other property belonging to the United States. This clause manifestly regarding the Territories as dependencies and not as States or Sovereignties, confers upon Congress plenary power to make all needful rules and regulations for their government.

#### WHAT IS A SECTIONAL PARTY?

The true definition of a sectional party is a party which, in its principles and purposes, seeks to consult and promote the interests of one section of the Republic, regardless of, or at the expense of the interest and prosperity of all other sections. The number and locality of the members of a party have but little to do in determining its character. The religion of our Saviour could not, with any propriety, have been termed sectional, even while its professors were limited to a mere handful of Jews, for its spirit and principles comprehended humanity everywhere, and in all ages. The great principle of the republican party is the preservation of the Territories to freedom, and the protection and elevation of free labor. Surely a purpose so beneficent as this can not be either selfish or sectional. It contemplates and comprehends the highest interests of a large majority of those living in the slave States, as well as of the people of the free States. It is a fact too palpable and notorious to be denied, that there is but a small minority of the white inhabitants of the slave States who are really interested in the preservation and enlargement of



the institution of slavery; and it is equally palpable and notorious, that the institution rests as a horrid and crushing incubus upon the prosperity of the large majority in such States. The prosperity of every part of our beloved country, is intimately bound up with the prosperity of every other portion. Our country is one, and our people are one, and any damage suffered by one portion is an injury inflicted upon the body of the nation. Tried by this test, the democratic party is not national, and is even less than sectional, for its aim, policy and purpose, is the promotion of the special interests of a minority class in one section of the Union, to the manifest disregard and injury of the majority in the same section. The number of slaveholders would not exceed one-twelfth of the entire free white population of the slave States, yet by their wealth, their intelligence and their monopoly of capital, they are enabled to control and govern the large majority of non-slaveholders by whom they are surrounded, and direct the policy and aims of the democratic party, and through that instrumentality, aspire to the government of the people of the United States. It is to add to the vigor and enlarge the boundaries of this power, that the democratic party is now preserved and operated. The fact that the republican party is not permitted to operate, that republican presses are not permitted to publish, nor republican orators to speak, in many of the Southern States, proves nothing but the

existence of the despotic power wielded by the minority class. As well might you establish the sectional and contracted character of the Christian religion, by the persecution and expulsion of the primitive Christians from Rome, in the time of the Cæsars. Besides that, it would be difficult to prove that principles that were considered national, and upon which the nation acted for the first fifty years of its existence, have suddenly become local, selfish and sectional.

#### THE CONSERVATISM OF THE REPUBLICAN PARTY.

It is a common charge made against the republican party, that it is radical, revolutionary and subversive in its character. Examined by the light of history and reason, this charge is manifestly unjust; for the truth is the reverse of all this, and is that the republican party is the historical and conservative party of the nation. A conservative is defined to be "one who aims to preserve from ruin, innovation, injury or radical change; one who wishes to maintain an institution or form of government in its present form." In politics, conservatism is an adherence to old opinions, doctrines and expositions of policy or constitutional law; it is opposed to innovations, novel doctrines and new-fangled theories; it prefers the known to the unknown, the tried to the untried, and chooses to walk rather by the light of experience than to pursue the chimeras of speculation. If it can be shown,

then, that the republican policy of opposition to the general diffusion of slavery, the preservation of the Territories to freedom, and the protection and elevation of free labor, is coeval with, or antecedent to the adoption of our Constitution—that it was the recognized policy of the government for more than half a century, that it was the faith of Washington, and almost the religion of Jefferson, that it was woven into judicial action and legislation, and was the common creed and property of all parties until within a few years past—then its claim to conservatism is fully established.

Measured by this standard the democratic party will be found to be “radical, revolutionary and subversive,” departing from its own creed, revolutionizing a long course of judicial decisions, and subverting the practice of the government from the time of its creation, it has erected, into an article of faith, the new, dangerous and portentous dogma, that the Constitution, by its own inherent power, establishes slavery in all the Territories, and that there is no power in Congress, nor in the people of the Territories—or to use the language of Mr. Buchanan in his late message, that there is no “human power”—that can exclude it therefrom; that the many acts of Congress, beginning in 1789 and continued until 1848, prohibiting slavery in the Territories, were unconstitutional and void; and the many judicial decisions of the various State and Federal courts recognizing the power of Congress

to provide such legislation, sprang from gross and ill-considered views of the Federal Constitution. And especially is this dogma dangerous and portentous, when we reflect that it is but the beginning of the revolution; that it drags after it, as an inevitable consequence—as the locomotive draws after it the train—that other dogma, that the Constitution also carries slavery into all the States, and that no human power can exclude it therefrom; and looks to the fulfillment of the prophecy by Senator Toombs, that he would live to see the time when he could call the roll of his slaves beneath the shadow of the monument on Bunker Hill.

We want no views of the Constitution. Its construction was settled by the first Congress, and acquiesced in by all the courts and every department of the government for more than half a century. that construction is in harmony with the plain reading of the instrument. It regards the Territories as the children of the Union, to be trained in the nurture and admonition of free institutions, so that when they have reached the age of majority, they will be qualified to take their places in the family of States, and be admitted to all the rights and privileges of the government. And as these Territories are to become our future partners in the Union, and in the administration of the government, we have a deep interest in the formation of their characters and national habits.

## INVASION OF VIRGINIA BY JOHN BROWN.

No one deplored more than myself the unjustifiable and criminal invasion of the soil of Virginia by John Brown and his associates. This act, while it thrilled the South with terror, and shocked the moral sense of the nation, may yet, in the hands of Providence, prove a blessing to the Republic. It has already led parties, both North and South, more clearly and accurately to define their positions, and thus exonerate themselves from all complicity or blame in the affair. The republican party has, by every medium of expression, disclaimed all sympathy with John Brown, or palliation for his deed, while the proofs which have been taken have failed to connect, in the remotest degree, any member of that party with this fatal enterprise, in any stage of its progress. It has taught the South, however, that if she would have peace and security at home, she must refrain from outrages abroad. It is not to be controverted that the stern fanaticism and malignant passions of John Brown and his associates, were cradled in that wicked and unnatural contest in Kansas, which was set on foot for the introduction and establishment of slavery in that Territory. Hordes of border ruffians from Missouri and other slave States, marched into Kansas in battle array, with the avowed purpose of subjugating the free State men, and forcing upon them an institution which they abhorred. Having first provided them-

selves with arms, by the robbery of the United States Arsenal, at Westport, Missouri, they entered that unhappy Territory, with all the paraphernalia and appointment of regularly organized war. The robbery of the arsenal at Westport, was but a prototype of the seizure of the arsenal at Harper's Ferry. By a mysterious chain of events, which can not be foreseen, and can only be realized, the tide of invasion rolled back from the level plains of Kansas to the mountains of Virginia. But the strangest thing remains yet to be told; for that war of aggression, set on foot by the slaveholders of Missouri, for the propagation of slavery in Kansas, has recoiled upon Missouri, not in war, in violence or in blood, but in the development of an emancipation movement, possessing such remarkable vigor and making such rapid progress, as to threaten the speedy extinction of slavery in that State. It is, therefore, not impossible, nor even improbable, that the attempt, made by citizens of Missouri, to fasten slavery upon Kansas by force of arms, may result in the legitimate and peaceful expulsion of slavery from Missouri. But in that affair we have no right to-mingle. It is one that, under the shield of State sovereignty, pertains exclusively to the citizens of that State; and no people, party nor tribunal out of it, have any right whatever to dictate what shall be done. The bloody page that records the infant history of Kansas, and the criminal adventure and death of John Brown, may be read with profit by

the people both North and South, and from it they may deduce the lesson that the security and tranquility of the nation can only be preserved by the people of each section scrupulously regarding and protecting the rights of every other section.

#### THE AGITATION OF THE SLAVERY QUESTION.

The agitation of the slavery question can be traced directly to the repeal of the Missouri Compromise. As clearly as ever effect can be traced to cause, or punishment to the sin that occasioned it, can the troubles which now afflict our beloved country be referred to that rash and disastrous measure.

It found the country at peace, and has left it stained with blood and torn by civil dissensions. It re-opened the slave question in a form most offensive and under circumstances most aggravating to the anti-slavery sentiment of the North. It was the deliberate breach of the time-honored compromise, which had its origin in the most critical period of our political history, and had given peace to the nation. History will pronounce judgment upon it as a wanton and wicked act, without a circumstance to palliate or excuse its perpetration; and as having its origin in the political necessities and reckless ambition of partizans. The object to be gained, was the united favor of the South, and the means of obtaining an extravagant devotion to her supposed interests. Both parties are likely to be cheated; the South will not only most probably

fail to derive any benefit from the measure, but, on the other hand, is likely to be seriously damaged, and the ambitious and desperate politician who devised it, is likely to be foiled and defeated in the grand purpose of his life.

Allow me to read a brief extract from a recent letter addressed by Ex-President Fillmore to a Union meeting in New York, which he had been invited to address. The sentiments contained in it are so beautifully expressed, and so manifestly just, as to command the hearty approbation of all intelligent minds :

“After a severe struggle, which threatened the integrity of the Union, Congress finally passed laws settling these questions, and the government and the people, for a time, seemed to acquiesce in that compromise, as a final settlement of this exciting question; and it is exceedingly to be regretted, that mistaken ambition, or the hope of promoting a party triumph, should have tempted any one to raise this question again. But in an evil hour, this Pandora’s box of slavery was again opened by, what I conceive to be, an unjustifiable attempt to force slavery into Kansas by a repeal of the Missouri Compromise; and the flood of evils now swelling and threatening to overthrow the Constitution, sweep away the foundations of the government itself, and deluge this land in fraternal blood, may be traced to this unfortunate act. Whatever might have been the motive, few acts have ever



been so barren of good, so fruitful of evil. The contest has exasperated the public mind, North and South, and engendered feelings of distrust, and, I may say, hate, that I fear it will take years to wear away.

“The lamentable tragedy at Harper’s Ferry is clearly traceable to the unfortunate controversy about slavery in Kansas; and while the chief actor in this criminal invasion has exhibited some traits of character which challenge our admiration, yet his fanatical zeal seems to have blinded his moral perceptions, and hurried him into an unlawful attack upon the lives of a peaceful and unoffending community of a sister State, with the evident intention of raising a servile insurrection, which no one can contemplate without horror; and few, I believe very few, can be found so indifferent to the consequences of his acts, or so blinded by partizan zeal, as not to believe that he justly suffered the penalty of the law which he had violated. I can not but hope that the fate of John Brown and his associates, will deter others from an unlawful attempt to interfere in the domestic affairs of a sister State. But this tragedy has now closed, and Virginia has vindicated the supremacy of her laws, and shown that she is quite competent to manage her own affairs, and protect her own rights. And thanks to an overruling Providence, the question about slavery in Kansas has been settled in favor of freedom. The North has triumphed, and having

triumphed, let her magnanimity and generosity to her Southern brethren, show that the contest on her part was one of principle, and not of personal hatred or the low ambition of sectional triumph."

#### WHAT IS THE CAUSE OF THE PRESENT HOSTILITY OF THE SOUTH TOWARD THE NORTH?

The fact is not to be disguised nor evaded, that there is a deep feeling of hostility pervading the people of the South toward the great body of the people of the North; and the question may be asked, has the South just cause of complaint toward the North? She has! but it is not such complaint as adjoining States and communities can always prefer against each other. There always have been and always will be individuals who will disregard the laws of their own and invade the rights and immunities of other States. If such invasion be cause of war or justify retaliation, then different communities could never be at peace, and no confederacy of States could be peaceful or permanent. I doubt not that men from the North have sometimes induced slaves to run away from their masters, though not, perhaps, once where it has been charged a hundred times. Such conduct is in violation of the law and good neighborhood, and is not to be palliated nor excused. But if we are to open a book account with the South, of mutual outrages springing out of the slavery question, we shall find, perhaps, if it did not come out about even, a

balance standing against her. The question may be asked then, what is the cause of the hostility pervading the Southern mind toward the people of the North? There are many causes, but the chief one is to be found in the policy of the democratic party. To chain the South firmly to the car of that party, it has for years proclaimed that every other party at the North was fatally bent on the invasion and destruction of the constitutional rights of the South; and that the success of any other party would prove destructive to the institution of slavery. To this end it has labored and lied, in season and out of season, with satanic industry, to indoctrinate the South with the notion, that the masses of the opposition of the North, now in an overwhelming majority, are hostile to Southern institutions and to the Southern people, and are impatiently awaiting the hour when they may even, by force, subvert the institutions of the South. Witness the recent course of Northern and Southern democratic papers and speeches, representing the entire republican party as the aiders and abettors of the raid of John Brown at Harper's Ferry. A very considerable portion of the Southern people have come to believe this enormous lie, and have no means of knowing any better. Republican papers are not permitted to circulate in the South. Republican speakers are not permitted to speak there, while democratic papers, North and South, teem with the speeches of Wendell Phillips and William Lloyd Garrison,

as the expositions of Northern sentiment and feeling. Even the opposition party of the South—what there is left of it—dare not contradict the monstrous falsehood, for fear of being charged with abolition sympathies, but, on the contrary, embracing democratic policy, has sought to out-Herod Herod, by pandering to pro-slavery ignorance and prejudice. The true explanation then, of the hostility of the masses of the Southern people to the North, is found in their profound misapprehension of the real state and condition of Northern sentiment. There is but one way our Southern friends can be undeceived, and that is by the election of a republican President, and the preservation of the constitutional rights of the South under his administration. A single republican administration, if it did not entirely succeed in restoring the era of good feeling between the North and the South, would do much toward it. The beginning, the continuance, the increased and increasing violence of this slavery agitation, have been under democratic administrations. The cure of the evil can not, therefore, be looked for by a continuance of such administrations. Not only is this true, but such agitation, as before stated, has been invoked and fostered by the democratic party as a source and means of power. The republican party has not produced this agitation, but has been produced by it. It is the creature rather than the creator. It sprang like a phoenix from the ashes of decayed parties, not as a sword,

but as a shield to prevent the invasion and subjugation of all free Territory by the institution of slavery.

#### WHAT IS THE POLICY OF THE DEMOCRATIC PARTY?

The policy of the democratic party is the extension of slavery, not only into all the Territories, but all the States. The grand instrumentality by which this is to be accomplished is the supreme court; an irresponsible tribunal, the members of which hold their offices for life, and who are not elected by nor amenable to the people; a tribunal which, for many years, has been used as a place of retracy for broken, spavined and asthmatic politicians. This tribunal was originally intended, by the framers of the Constitution, as a court of appeals for the decision of questions of law and equity, legitimately arising in the lower federal courts; but by the plastic hand of modern democracy, it has been converted into an engine for the subversion of free institutions and the propagation of human slavery.

The first grand step in the programme of changing our Republic into a vast slaveholding confederacy, was the establishment of slavery in the Territories, by virtue of a false construction of the Constitution of the United States. This is supposed to have been done by the decision in the case of Dred Scott. Mr. Buchanan triumphantly announces the consummation of the fact in his late message. The next step, and the last, is but a logical sequence

of the first, viz.: That if the Constitution carries slavery into the Territories it carries it into the States. The one follows the other as certainly as night follows day. If the Constitution be able to protect slavery out of the Union, much more shall it protect and nourish it in the Union. If it recognizes slaves as property and not as persons, and secures to the master an indefeasible title to them in the Territories, will the rights of property be held less sacred in the States. Does the Constitution guarantee to the slaveholders or other persons, rights of property or of persons, in the Territories, that it does not equally secure in the States?

When, therefore, the nation comes to admit, if it ever does, the right to hold slaves in a Territory, and that there is no power in Congress or in the people of a Territory to exclude them, it will then be required to take another step, which it can not refuse, easy, natural and legitimate, which is, that the Constitution secures the right to carry slaves into all the free States and enjoy them there as property.

The President in his late message congratulates the country on the final settlement of the slavery question, by the decision of the Supreme Court of the United States in the Dred Scott case. He forgets that the democratic party have taught the country that constitutional questions are never settled. The Dred Scott decision has simply unsettled what had been regarded as settled for more than

fifty years. The Missouri Compromise was thought to be settled for more than thirty years, but it was repealed by the Nebraska Bill. It is now idle to talk about the settlement of anything until it shall be done on correct principles. Five slaveholders sitting on the bench of the supreme court, can not settle, forever, vital questions of freedom, against 18,000,000 of people in the free States. In the course of a few years they will have passed away, to stand at the bar of another tribunal, whose decisions are final, and their places will be filled by new men, who will have the same right to review their opinions which they have had to trample upon the opinions of all who have gone before them.

#### THE FUGITIVE SLAVE LAW.

The Constitution of the United States guarantees to the owners of slaves, if slaves escape, the right to reclaim and carry them back to servitude. To make this constitutional provision efficient, it is necessary that a law be enacted providing ways and means by which such reclamation can be effected. I therefore recognize the right of the South to a fugitive slave law. The power to enact this law, I believe, is vested in Congress and not in the several States, as is contended by some. This is certainly in accordance with the early construction of the Constitution.

The constitutionality of the present fugitive slave law was a legitimate subject of judicial decision and

has received the sanction of the highest court in the the nation. While, therefore, it remains upon the statute book, it should be enforced, and I have no justification to offer for those, whether individuals or States, who may resist its operations or cast obstacles in the way of its enforcement. But if it be insisted, that in order to be national and be a patriot, I should entertain a violent admiration for this law, and take delight in its provisions, then I do not come up to the standard. Several of its provisions I regard as harsh and unjust; because they place it in the power of bad men to endanger the rights and liberties of free men. The constitutional provision itself was a political necessity; and while I regard the law framed under it as a political necessity also, I think it should be humane in its provisions and administered with caution. Hence, I think the fugitive slave law a fit subject for revision, amendment and improvement.

#### THE UNION PARTY.

It is a matter of proud congratulation, that there is not one disunionist within the pale of the republican party. There is no part of the republican platform upon which a disunionist can stand. While the disunion fanatics of the North are the most bitter foes and denouncers of the republican party, the disunion fanatics of the South are members of the democratic party, and not only so, but they are members in good standing, occupying



its highest places of honor, and directing its councils, and manufacturing its platforms. Some of these already declare that the Union is a forlorn hope; others, that it can only be preserved upon contingencies which are not likely to happen; and many, that the election of a republican President by a majority of the people of the United States, in the mode prescribed by the Constitution, would be just cause for dissolution. We do not say that the Union may be preserved upon certain conditions; we do not measure our fidelity to it by our success; but we say, "it must and shall be preserved," whatever party may be in the ascendant. We do not say, the republican party first and the Union afterward; but we say, the Union first, last and all the time; and that we will wage uncompromising warfare upon all parties that contemplate its destruction, as desirable, under any circumstances. The treasonable doctrine of rule or ruin, has been boldly avowed by leading democrats in the Senate of the United States. They have declared, without rebuke from their fellows, that the last hope of the Republic was bound up in the success of the democratic party; and that the success of the republican party would present a contingency, not only authorizing, but demanding the secession of the Southern States from the Confederacy. These threats are intended to intimidate the weak and stimulate the lukewarm, and enable that party to retain the power which it feels is passing away from it, and which it has justly

forfeited, by a long course of treachery and transgression against the peace and best interests of the nation.

### THE REPUBLICAN PARTY.

I beg that it may be understood, that I do not use the word republican in a narrow, sectarian or party sense. By republican doctrine, I mean that sentiment which is opposed to the general diffusion of slavery; desires the preservation of the Territories to freedom, and seeks the elevation and protection of free labor. And by republican party, I mean all who entertain and cherish that sentiment, whatever organization they may belong to, or by whatever name they may pass.

### ABOLITIONISM.

I see that several of the democratic newspapers have reviled against me the cheap and worn out allegation, that I am an abolitionist! It is a matter of some importance to a man who is about to make a charge against his neighbor, that he have some satisfactory evidence that the charge is true, and justice to himself would seem to require that it be accompanied by such a statement of the evidence as would reasonably justify him in giving it utterance. But if it be a naked and general allegation, unsupported by any evidence whatever, an intelligent public have a right to presume that it is a calumny thrust before the world for selfish and malicious

purposes. If the persons making this charge know me to be an abolitionist, they can undoubtedly state some political act or declaration of opinion on my part in proof. If they were asked what constitutes an abolitionist, they could answer, if they have any clear ideas on the subject, that he is one who is in favor of abolishing slavery in places where it now exists, and who claims that it is the right and duty of the State in which he lives, or of the General government to perform the act.

I am opposed to the diffusion of slavery. I am in favor of preserving the Territories to freedom, of encouraging, elevating and protecting free labor, at the same time conscientiously believing, that with slavery in the several States we have nothing to do, and no right to interfere. If this makes an abolitionist, then I am one, and my political enemies may make the most of it.

The vague and senseless epithet has lost its terrors. A long, indiscriminate application of it by democratic politicians, to all who oppose them, has stripped it of all title to consideration whatever.

#### THE NORTHERN DEMOCRACY.

Power has passed from the democratic party in nearly all the Northern States. Its vitality and force are concentrated in the South. The fact is, that in Congress, and in the councils of the party, Northern democrats are almost without influence

and power. In the Senate of the United States, it is a noticeable fact, that no Northern democrat is placed at the head of any important committee, and so keenly was this felt, that Mr. Pugh, the Senator from Ohio, raised his voice in bitter lament against the humiliation inflicted on the Northern democracy. The fact is significant, showing that while the Northern democratic members of Congress are regarded as useful for voting appropriations and many other purposes, their Southern brethren are unwilling to trust them in responsible positions where their influence might be felt or their treachery prove fatal. Whether this distrust be well grounded or not, I shall not undertake to determine, but it is certainly natural. Knowing, as Southern democrats do, that these men have betrayed the interests of freedom and their constituents, for selfish and party considerations, it is not strange that they should look upon their own betrayal as not among impossibilities or even improbabilities.

#### PROTECTION TO AMERICAN INDUSTRY.

In collecting the revenues of the nation, the duties upon imports should be so adjusted that adequate protection be afforded to American industry. While it is not the duty of the government to build up and maintain monopolies at the expense of the body of the nation, yet it is entirely within the power of Congress, by a proper regulation of the tariff, to afford just encouragement and protection

to the agricultural and manufacturing interests of our country.

### THE HOMESTEAD.

It has long been the opinion of many statesmen that the public lands should not be treated as a source of revenue, but that they should be donated, in limited quantities, to actual settlers, who would improve them, and thus build up new communities and States. The greater portion of these lands have hitherto been purchased by non-residents and held for speculation. The actual settler has thus been compelled to purchase at second hand and at advanced rates, while the poor man has been debarred from a home and from a field for his industry. The actual settlers, the hardy pioneers, braving the dangers and submitting to the hardships of the wilderness, are they who erect new States and enlarge the boundaries of our national wealth and power. They are public benefactors and should not be required to pay tribute for their benefactions. Their homes should be given to them by the nation, upon conditions that they improve them, and thus add to the aggregate of our national prosperity. It is not important that we have very rich men in this country, but it is important that all have homes and a competence, and be made to feel that their country is a nursing mother, whose devotion to their interest, and protection of their rights can only be requited by a life of patriotism.

This speech may be said to embody the doctrines of the republican party. It presents, fully and fairly, all that was held and or taught by that party up to the year 1861. It entirely exonerates the republicans from the charge of abolitionism, and shows that they, so far from advocating sectional views, were the true conservatives of the day, aiming to reinstate the ancient idea that slavery is sectional and freedom national; that slavery, being a domestic institution, can only exist by local law, and that, according to the views taken of the relations existing between the General government and the Territories by the founders of the Republic, all the territory belonging to the United States is free; that according to the Constitution, the normal condition of the Territories is that of dependence on the government; and that while upon Congress devolves the duty of making all needful rules and regulations for the government of the Territories, and, according to the democratic doctrine of 1849, of preventing the introduction of slavery into any new territory, yet neither Congress nor the people of the free States should interfere with that institution in any State where it legally exists. It thoroughly disproves the assertion that the republicans were constantly agitating the slavery question, and clearly points to certain leaders of another party as being guilty of keeping that issue before the people. It shows that the republican party had never existed, had it not been for the revolutionary

measures of the democracy in 1854, and that those who were loudest in the deprecations of slavery agitation and denunciations of "abolitionists," were themselves the ones who, at a time when the all-exciting question was dead and buried, had exhumed its ghastly skeleton, inspired it with demoniac life, and sent it anew upon its fiendish mission of stirring up sectional dissensions between the Northern and Southern people of the United States.

No secret article could be found in the republican confession of faith contradicting anything said in this speech; and the fact that a few extremists were found in the party who advocated the unconditional abolition of slavery, amounts to no more as a proof that it was an abolition party, than does the fact that many Southern secessionists were members of the democratic party as an evidence that it was a disunion organization.

This speech, as a logical production, is a masterpiece, and the main points in it were never fairly met during the campaign.

## CHAPTER III.

Canvass of 1860—Political discussion at Bloomington, Ind.—  
Morton's reply to Judge Turpie, made June 21st, 1860.

The following passages from Governor Morton's reply to Judge Turpie, democratic candidate for Lieutenant Governor of Indiana, made at Bloomington, on the 21st of June, 1860, is presented to give the reader an idea of the Governor's strength in debate. It will be observed, that while the arguments are powerful, the words in which they are given are few. Indeed, some of the thoughts are rather skimped in their dress.

This effort is replete with chaste wit and pungent sarcasm, and shows that the Governor knew how to tell a story with effect.

We give the paragraphs as published by a Bloomington paper—taking the liberty to correct some blunders, which are manifestly the work either of the reporter or of the printer :

My friend, Judge Turpie, took occasion, in the course of his remarks, to advert to that provision of the Constitution which allows representation on the floor of Congress for three-fifths of the slaves in the South. He said that this thing had been



misrepresented, that it had been claimed that this gave the slaveholder three votes for every five slaves. I have never heard it so contended. The effect of it is, however, to give to the South a representation on the floor of Congress on account of their slaves; and it is said, a calculation will show that the South now has twenty-three members more than if her slave population was not represented. But my friend says that this is a discrimination against, instead of in favor of the South. I do not so understand it. He says that in the North we count our free negroes, criminals and aliens, in making up the ratio of representation. So we do; and in the South they count their free negroes, one for one, as we do; their criminals as we do, and their aliens also; and, in addition, they count three of every five slaves. These slaves they hold as property. They buy them, sell them, mortgage them, and transfer them as you do your horses and cattle. You have no representation based upon your horses and your cattle, but they have for their slave property. This provision of the Constitution requires no comment. Whatever it may be, the republican party is not asking to change it. I should not have adverted to it at all if my friend had not turned to it in the beginning of this discussion.

#### HISTORICAL REMINISCENCE RECTIFIED.

Again he refers to that provision of the Constitution which prevents the prohibition of the slave trade

prior to the year 1808. My friends, who introduced that provision into the Constitution? There was a universal conviction, at the time that instrument was framed, that slavery was short-lived; that it would soon become extinct in the United States. It was the general understanding, furthermore, that the slave trade would be prohibited; and there was no necessity to insert a clause that the Congress should prohibit it. But a provision was inserted, at the instigation of South Carolina, she declaring that she would not consent to the Constitution if she was prohibited from carrying on the slave trade until, at least, 1820. It was at the instigation of South Carolina, and not of Massachusetts, that that clause was inserted. I have no doubt persons in the New England States were interested in the slave trade, but they were few in number, and they did not express the voice of any State of the North. But this provision was inserted at the instigation of South Carolina, the demand, in fact, being made by her.

I am glad that my friend referred to that provision in the Constitution. It shows this: it is a provision against prohibiting the slave trade, and it shows the feeling that prevailed at that time among the fathers of the Republic, among the men who made the Constitution upon the subject of slavery; it shows that they were anti-slavery men in sentiment, and that this provision was inserted simply to prevent the too speedy and too decisive operation

of that sentiment in cutting off the foreign slave trade.

QUERY TO BE ANSWERED.

Again, my friend refers to that provision of the Constitution in regard to the reclamation of fugitive slaves. He says, that in Massachusetts and other States, they have passed laws to prevent the South from enjoying the benefit of this provision of the Constitution. Will the gentleman point to any legislative act, outside the State of Massachusetts, upon that subject. His declaration, I believe, was in general terms; the republican States had done the thing. In Massachusetts they passed a personal liberty bill. It was the opinion of many men in Massachusetts, as it is the opinion of many everywhere, that the fugitive slave law is defective; that under that law free men may be carried into servitude, and they have no remedy. Under this conviction, for the purpose of preventing freemen from being carried into slavery, she passed a personal liberty bill. In my opinion that bill was impolitic. I am not here to defend it; but it was not a bill to nullify the action of the fugitive slave law.

But while my friend has a voice of condemnation for the action of Massachusetts, what word has he got for the numerous acts of the slave States interfering with the great rights of speech and the freedom of the press? Virginia and most of the

slave States muzzle the press and seal the lips of freemen upon the subject of slavery, and all kindred subjects. While the gentleman is showering denunciations upon Massachusetts, let him remember kindred acts in the South.

#### THAT SECRET BUT FEARFUL PURPOSE.

My friend says there is a party in the North that is cherishing the secret purpose of ultimately overturning and destroying the constitutional rights of the South; of denying to the South those guarantees which the Constitution has accorded to her. What evidence is there in the world of the correctness of my friend's statement? Look to your platform. You find nothing of the kind. But in the total absence of evidence this secret purpose is charged. If it is a secret purpose, my friend can not know anything of it. If it is a public purpose, the evidence can be produced.

Gentlemen, my friend speaks in general terms of the doctrine of non-intervention. What precise idea is conveyed by that? I know it has been a sort of catchword with the democratic party for a few years past. Whenever they come to the subject of slavery, they always tell you they are in favor of non-intervention. I say that that is now an unmeaning word. It now conveys no idea. They are in favor of non-intervention; they want to know no North, no South, no East, no West; they want to know nothing upon this subject.

## ANOTHER QUESTION.

My friend says that I stand upon the same ground with Yancey; that I and Yancey believe alike. I would like to know what ground he stands upon. We are tired of this talk about non-intervention. The political questions of this day are practical; they are pointed; there is no difficulty at all in knowing just what it is that now divides the parties—the republican party from both factions of the democracy, and one faction of the democracy from the other. My friend has told you where he thinks I stand, and I shall come to that by-and-by.

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“YE ANTIENTE DOCTRINE OFFE YE NON-INTER-  
VENTION.”

My friend calls this doctrine of non-intervention, “the ancient doctrine of non-intervention.” It is certainly not more than six years old, and that did not use to make a thing ancient, but it seems that it does now.

The great doctrine, from the time our Constitution was formed until 1855, as recognized by all parties, was the doctrine of intervention, and if any doctrine can be called ancient, that is the ancient doctrine. This one is modern, the other is old. It has been tried in but a single case, and the result is written in blood upon the plains of Kansas, and on the darkest page in the history of American

politics. Yet this novel, this new-fangled theory is called, in the hearing of sensible and honest men, the ancient doctrine of non-intervention.

#### SMOTHERED WAR CONTINUED.

My friend, in speaking of the Missouri Compromise, said it was a "smothered war;" that, instead of giving peace, it had been a smothered war. The war that before was smothered, has broken out in deeds of blood that have drenched the soil of Kansas with the gore of freemen, and which have kindled the flame of discord between the North and South. God only knows what are yet in reserve for us as consequences of the repeal of the Missouri Compromise.

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#### TESTIMONY OF THE GRAND MOGULS OF DEMOCRACY.

Let me refer you to a little authority on this subject. For the purpose of making the application more pointed, I will refer to Indiana authority. The democratic party of Indiana stood upon this doctrine until 1854. Let me read to you an extract from an opinion of Gov. Whitcomb. The State of Indiana, perhaps, never produced an abler or more honest man than Gov. Whitcomb. He is dead and gone; but all delight to do honor to the memory of that great man. What did he say? In 1848, he said:

"It is incontrovertible that slavery, here as

elsewhere, can not exist without the sanction of positive law. I am opposed to the passage of any such law. I believe the Congress can, constitutionally pass such organic laws for the government of the Territories, as will, in their operation, prevent the territorial legislature from passing any such law. It follows that Congress can, in my judgment, constitutionally prevent the introduction of slavery into these Territories."

I now give you the opinion of Judge John Law; now, I believe, a candidate for Congress in the first congressional district, on the democratic ticket:

"I feel no reluctance in answering both your questions in the affirmative. Were I in the Congress of the United States, I should most assuredly give my vote and interest in favor of every proposition for excluding slavery from any territory acquired, or hereafter acquired, by the United States. I should deem any prospective action of Congress on the subject both legal and constitutional."

Well, that was Judge John Law's good law then; but it is bad law now, it seems, with him. That gentleman is living authority. Let me read to you some more. I will read the opinion of a prominent senator, Dr. Graham N. Fitch. I don't know whether you consider him alive or dead down here.

*Col. Foster* (a prominent democrat)—He is dead.

*A voice*—There is more democratic authority for you.

*Mr. Morton*—Dead, the gentleman says.

*Col. Foster* (again interrupting)—And politically damned!

*Mr. Morton*—The gentleman adds that he is dead and damned. Well, if he be so, his authority is better, because he is dead—because he has forsaken his principles. *Mr. Fitch* said in reply to a letter, as read :

“PLYMOUTH, Aug. 14, 1849.

“*Sir*: As there are a few who think that you have not been quite definite enough on some of the questions involved in the present canvass, I wish you to answer the following questions, to wit:

“1. Will you, if elected, vote for the unconditional abolition of slavery in the District of Columbia?

“2. Will you vote for the abolition of the interstate slave trade (if the same is constitutional, of which I am not satisfied)?

“3. Will you vote for the Wilmot Proviso being extended over the Territories of California and New Mexico, and against any law authorizing slaves to be taken there as property?

“Please answer the above questions, yes or no, without comment.”

To which the Doctor replied:

“With pleasure I answer yes to all the above questions.

“Entertaining the views indicated in my answer above, I shall not only vote ‘yes’ on those questions, but if no older or abler member, whose influence



for them would be greater than mine, introduce them to Congress, I shall do so myself, if I have the honor of holding a seat there.”

I will now read you some further authority, outside of the State of Indiana. I will read a little from Stephen A. Douglas. What did he say? Hear what he said in 1849 :

“The Missouri Compromise had its origin in the hearts of all patriotic men, who desired to preserve and perpetuate the blessings of our glorious Union ; an origin akin to that of the Constitution of the United States ; conceived in the same spirit of fraternal affection, and calculated to remove forever the only danger which seemed to threaten, at some distant day, to sever the social bond of union. All the evidence of public opinion at that day, seemed to indicate that this compromise had become canonized in the hearts of the American people as a sacred thing, which no ruthless hand would ever be reckless enough to destroy.”

My friend says it has been a smothered war. Mr. Douglas did not seem to think so. He spoke in the highest terms of it, and gave to it the same dignity and the same sacred character as to the Constitution of the United States itself ; and he said it was so sacred that no “ruthless hand would ever be reckless enough to destroy it.” Who afterward proved to be the reckless hand? Mr. Douglas himself.

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## A QUESTION DIRECT.

Well, now, I wish to consider this minority report for a few moments. Mark you, it was the carrying out of the platform of Douglas, as developed in his late speech in the Senate. He does not tell you whether he believes the people have the power to exclude slavery from the Territories or not. He talks, as does my friend, in general terms, very earnestly and plausibly, about the right of the people to govern themselves; and that is indeed something; it sounds well in a speech or on the stump; but when he comes to the only real question—Have the people power to exclude slavery from the Territories?—he says, that is a “judicial question.” Gentlemen, I want my friend, before he has done—and I doubt not he will gladly embrace the occasion—to tell you whether the people of the Territories have the power to exclude slavery. That is a very important question. It seems it was important enough to split the Charleston convention in two; and it threatens to split the Baltimore convention in two. Being of so much importance, my friend will not omit to tell you on which side he stands.

## JUDICIAL QUESTIONS.

Now I want to consider this judicial question. Is it a judicial question? With just as much propriety you might call it a moral question, and refer

it to the convention lately in session at Buffalo ; or a scientific question, and refer it to a board of science. Call it anything except what it is—a decent way of dodging a responsibility and cheating the people out of their votes.

If this is a judicial one, I would like to know if the question of building a railroad from the Atlantic coast to the Pacific shore is not equally a judicial question? There is no question which might not, with equal propriety, be called a judicial question. Let, then, these gentlemen be excused upon all subjects, for it can be done with precisely the same propriety.

But, gentlemen, the Senate of the United States recently passed a series of resolutions, introduced by Davis of Mississippi. They affirm the same doctrine that I have spoken of; the right to carry slavery into all the Territories, and the absence of any power to prevent it; and the duty of Congress to intervene, if necessary, for the protection of the institution. These resolutions received the vote of every democratic senator present, save only one. They received the vote of your senators from the State of Indiana—I will not call them senators, for they are bogus; they were never elected, but they hold seats there. And if there is an authoritative exposition of democratic faith that has been made, it must be found in those resolutions. Douglas does not take different grounds. He admits, distinctly, that the Constitution gives the right to take slavery

into the Territories; he does not contend for a single moment, that local law is necessary to authorize the master to hold his slaves there; and when he comes to the question of the power of the people to turn slavery out, he gives no opinion one way or the other, but he says, "that is a judicial question."

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### VENERATION FOR COURTS.

But we have had a more recent example. The charter of the Bank of the United States was about to expire. That charter had been held to be constitutional when that question had come properly before the bench, and the court was compelled to decide it. Well, the charter of the bank being about to expire, a bill for a recharter was introduced. It came before General Jackson for approval, and the old man said: "I have sworn to support the Constitution as I understand it; and I veto this, because Congress has no power to create a United States Bank." In 1856, at Cincinnati, in their platform, the democratic party affirmed that Congress had no such power, right in the face of the decisions of the supreme court; and recently at Charleston, both of the platforms I have spoken of reaffirmed the Cincinnati platform. Thus it appears that, whereas, the decisions of the supreme court are binding—infallible and absolutely binding upon the subject of slavery—yet we spit upon them and defy them upon the subject of a bank. In other words,

the democratic party sustains the decision; it sustains the party and ignores its existence, when the party gains nothing by supporting it. This is history. It is truth, as recorded in their platform.

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#### A GLANCE AT THE RECORD.

Now, gentlemen, I want to refer to this thing—this new discovery of the meaning of our Constitution. I have mentioned to you what the policy of this government was until 1854. Why, gentlemen, the sixth act passed by the first Congress under the present Constitution, was the act to reaffirm the ordinance of 1787. That act prohibited slavery in all the Northwest Territories. The sixth act, passed under the present Constitution, reaffirmed that ordinance. That ordinance had been passed by the old Congress of the confederation, and it was worthless under the present Constitution, unless adopted by the present government; and it was adopted, and it excluded slavery from all the Northwest territory, including Indiana. From time to time, Jefferson, Madison, Monroe, Adams, Jackson, Van Buren and Polk, all signed bills for prohibiting slavery in various territories. James K. Polk, a slaveholder from Tennessee (who, I believe, was an honest man, and who made a good president), himself signed the bill passed by Congress which excluded slavery from the Territory of Oregon; and we have a chain of acts, from the time of Washing

ton, recognizing the power of Congress to exclude slavery from the Territories.

I might just say here, that it is entirely possible that we might be wiser than our fathers on the subject of expediency and policy, because human observation and experience are constantly adding to the store of human knowledge; but, I say, upon a question of constitutional construction, it is mere nonsense to declare that the men of a later generation can be wiser than the men that made the instrument. How, gentlemen, can the most intelligent court that ever sat in this desk understand better what the parties to a contract meant than the parties themselves, however illiterate they may be? Certainly this can not be. The whole business of construction is to find out what the parties meant, and when the parties themselves have acted upon that declaration throughout their lives, that settles the question.

Suppose I write a letter to my friend; I suppose I have as good a right to say what I meant by it, as he or any other man. Suppose, fifty years after, some person should say that he knew more than I about the meaning of my own letter, what would you say to him? You would say, that he is surely a modern democratic, constitutional lawyer, and you know they are much wiser than were the men seventy years ago.

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## NEGRO EQUALITY.

But my friend has a good deal to say about negro equality. That is the burden of the song on the part of the democratic party, negro equality, negro equality! Who is in favor of it? Is the republican party in favor of it? If so, where is the evidence of it? We have had a great deal of loose declamation.

*Col. Foster*—I will tell you where the evidence of it is.

*Mr. Morton*—Well, say on.

*Col. Foster*—In Massachusetts; ninety-five white women married to as many negroes.

*Mr. Morton*—My friend speaks of negroes voting in Massachusetts. When were the negroes first allowed to vote there? Has it been since the republican party has been in existence? No, sir. They voted in those palmy days when the democratic party elected governors.

*Col. Foster*—I am speaking of practical amalgamation.

*Mr. Morton*—You placed it there. My friend spoke of Ohio too. He spoke of Ohio, the negroes being allowed to vote there. I ask, under what constitution are they allowed to vote? I ask, who made that constitution? That constitution was made when the democratic party had a majority of twenty thousand in that State, and in the convention that made that constitution, there was a large democratic majority. When, gentlemen, were

negroes first allowed to vote in the State of Maine? In the good days when the democratic party had an overruling majority in the State. In point of fact, my friend can not point to a single step taken in a free State, toward enlarging the rights of a free negro—toward negro equality—since the republican party came into power. My friend may take the State of New York. When were negroes first allowed to vote there? Years and years ago, before the republican party had power. Who was in favor of it? Martin Van Buren, the bosom friend of Jackson, the man who, with his son John, are ardent supporters of this democratic administration.

So far as this thing is concerned, all this was done years ago. The democratic party is as much responsible for them to-day as ever; and as far as the republican party is concerned, they were all done before it was called into existence.

#### A SYLLOGISM.

But because we are in favor of excluding slavery from the Territories, it is insinuated that we are in favor of negro equality. There are, perhaps, present, a number of young men from the State University, and I might state, in the form of a syllogism, that the republican party is in favor of excluding slavery from the Territories; every party in favor of excluding slavery from the Territories, is in favor of negro equality; therefore, the republican party is in favor of negro equality in the State of Indiana.



Is that a good syllogism? I will state another. The earth is a planet; all planets have their orbits; consequently the moon is made of green cheese. My friend, himself, is in favor of the fugitive slave law, because it keeps fugitive slaves from Indiana, and he says we ought to stand by that law because it maintains the dignity of free labor in Indiana. If it is good to keep negroes out of Indiana, fugitives though they be, is it not also good to keep negroes out of the Territories when they are slaves; and if he be in favor of excluding fugitive slaves from Indiana, is he not also in favor of negro equality, according to his own argument? Is not the reason as strong in the one case as the other? Was the gentleman in favor of negro equality? Was he an abolitionist, when he was in favor of this doctrine which we advocate? Gentlemen, this whole charge of negro equality has no foundation in fact. It is but an appeal to the prejudices of this people upon the subject of color. When these gentlemen are applied to, to offer evidence as to why or how we are in favor of this thing, they say it is a "secret purpose." If they refer to our platform, they can not find it there.

#### LATER NEWS.

The gentleman tells you he can tell you where to find my doctrine, and then he refers to the Buffalo platform and says you can find my doctrine in it. I can find it in another platform. I have it here,

laid down by the democratic convention of the State of Indiana, at the city of Indianapolis, and there unanimously adopted. What did that platform declare?

*Resolved*, That the institution of slavery ought not to be introduced into any territory where it does not now exist.

That is good republican doctrine to-day. That is good republican doctrine now. But it goes on, to say further :

*Resolved*, That inasmuch as New Mexico and California are, in fact and in law, free Territories, it is the duty of Congress to prevent the introduction of slavery within their limits.

Here is where I can find the republican doctrine in all its purity ; in all its fullness. I do not have to go back to the Buffalo platform. And this was no new doctrine with the democratic party. The whig party stood on the same ground, and the democratic party had been affirming it, from time to time, whenever the occasion presented.

#### THE TWICE-SHOT POWDER.

Well, gentlemen, about this charge of abolitionism. It has, I think, been about worn out ; it is all old, stale, dry ; it has had its day. It may still have power, however, to deceive a few ; but I think they will be very few. It has been charged that I am an abolitionist for standing on this ground. I suspect my friend here was one a few years ago, and

that every democrat was one too. Washington, too, must have been an abolitionist; Jefferson was one, as was also Madison, and this man Douglas was one until but a few years ago. Why, gentlemen, I don't speak here to-day to convince democratic politicians. I don't expect to be able to do that. They remind me of a lawyer I once heard of. A judge had given a decision in which he was interested, and he did not like the decision, so he got up and read an opposing page from Blackstone, and then he said, he did not do it to change the opinion of the court, but only to show what an old fool Blackstone was. I only refer to these things to show what old fools our fathers were. To show what blockheads these men were all their lives until about four years ago; to show that the "Little Giant" was a very little giant until about the first of February, 1854. About that time, you know, he experienced a great change of heart; the scales fell from his eyes, and he saw the truth face to face. Old Buck, you know, was not converted until about two years afterward.

*A voice*—He backslided awful quick, too.

*Mr. Morton*—This charge of abolitionism is, however, still made. It reminds me of an anecdote I once heard. A man said he was traveling through the State of Virginia, when he came where a political meeting was being held in the woods, and a debate was progressing between two candidates for Congress. One of the candidates was a young man,

and the other was getting well on in years, and the young man was charging, most vociferously, that his competitor had once been a federalist, and, in consequence, was unqualified to represent the people in Congress. When the old man's turn came, he said he could not see much sense in the thing. The federal party had passed away, and he could not see why his friend brought it up again; it reminded him a good deal of a circumstance that happened in his neighborhood. There was a farmer, who had in his field a rock which had long been an eye-sore to him. Well, being about to leave home for a day or two, he called his man to him, and said he: "Tom, while I am gone, I want you to go to town and get a couple of kegs of powder, and blast that rock and haul it away." Well, when he came back he went into his field to see what had been done, and there was the rock, with here and there a few holes, and some marks of gunpowder. He called out in great anger: "Tom, didn't I tell you to blast that rock and haul it away?" To which darkey replied, "Massa, I'll tell you what it is. You can't blast that 'ere rock with that 'ere powder! In my 'pinion that powder has been shot once before." So of this charge of abolitionism. It has been shot several times before.

My friend sometimes refers to the good deeds done by the democracy. The democrats have done some good things in their day, but that was when they stood upon good ground, and a reference to

past deeds only makes the darkness of their present deeds more palpable. In point of fact, I do not see that any man or party could be thoroughly imbued with republican principles without doing a good many good things. So it was with the democratic party.

## CHAPTER IV.

Campaign of 1860—Great meeting of republicans at Fort Wayne—Able and eloquent speech of Governor Morton—Masterly review of the political questions of the day.

A republican meeting was held, during the campaign of 1860, at Fort Wayne. It had been previously announced that the Hon. O. P. Morton would be present and address the meeting. The weather, on the day appointed, was very unpropitious. Notwithstanding this, the people gathered in great numbers, and the "Wide-Awakes" turned out two hundred strong. The desire to hear the candidate for Lieut. Governor was sufficiently earnest to overcome all ordinary obstacles. At seven o'clock Mr. Morton was introduced to the audience, and the speech he delivered on that occasion was more than sufficient to compensate those who were present for the slight sacrifice they made to enjoy the pleasure of hearing him. Like all others of his speeches, it was delivered extemporaneously, but the symmetry of its structure and the incisiveness of its logic, show that it had been thoroughly prepared.

We present it as reported by a phonographer for the *Cincinnati Gazette*.

On being introduced to the audience, Mr. Morton said :

FELLOW CITIZENS : I was in your city four years ago as a candidate, and at that time feebly attempted to represent to you republican principles. And I can say, honestly to you to-night, that I have nothing new to offer. I do not know that, since that time, the republican party has espoused any new principle, nor do I know that they have abandoned any old one. There is one peculiarity by which our principles are distinguished from those of our opponents. They are old, while those of our opponents are new. There are some things which we should prefer on account of their age, and others on account of their youth. Among the former we reckon principles of political action. So far as the principles upon which this government ought to be administered are concerned, I prefer those which our fathers practiced, and which they taught to their children.

#### THE SLAVERY QUESTION.

The first question to which I will invite your attention to-night, is the question of slavery. This may seem stale and threadbare to many of you, but it is utter nonsense to say we will not think about nor discuss this question. It must and will be discussed. We shall never have peace in the country until it is settled, and settled upon correct principles. It enters into the consideration of all classes of men.

It has gone into the general assembly, into the general conference, and into the national councils, there producing scenes of disorder that have disgraced the nation before the civilized world. We must meet the question. The longer it is deferred the more difficult and complicated it becomes—like the settlement of an old estate. It is not the part of manhood or of patriotism to defer the struggle and seek to cast it upon a future generation, together with all the aggravations and complications of delay. If we meet it at once as men, with a spirit of mutual kindness and forbearance, I believe it can be settled, and that all will be well. It was thus our fathers acted when a tax of three pence per pound was levied upon tea. The tax in itself was a trivial matter, and they could have paid it without realizing it, in a pecuniary point of view; but it involved a principle which, in its ultimate consequences, might make them and their posterity slaves, and they resolved to meet the issue at once. Let us emulate their example.

#### THE MISSION OF THE REPUBLICAN PARTY.

The mission of the republican party is to prevent the further extension of slavery, and to rescue the government from the corruption and abuses of the party in power. For these purposes it was called into being, and when they shall have been accomplished we are content that it should die. Embraced within it as its great central idea, its very existence,



is the protection, dignity and elevation of free labor. Who so dull as not to see that labor is degraded and put beneath the dignity of free men, when it is performed by slaves? And who so dull as not to see that the superstructure of our liberty, our power and prosperity, is erected upon the foundation of free and honorable labor. The party opposed to us is the party of slave labor, who believe that the laboring classes are what Mr. Hammond called them, "the mudsills of society, and ought to be excluded from all participation in the government of the nation." Not that they openly avow and advocate such doctrine in the North, but that they are in active co-operation and coalition with the party in the South that do.

#### REPUBLICAN DOCTRINE.

It is the duty of the people to investigate and understand the true issues involved in the approaching election, to know what it is they are voting for when they vote for certain men; to know what it is they are opposing when they seek the defeat of other men. To understand these issues correctly; we must refer to the early history of the Republic and recur to its principles. The fundamental principles underlying the republican doctrine, the faith of the fathers and the practice of the government, for more than half a century, all go to show that slavery is local and municipal; that it can only exist by virtue of positive law; that before it can exist

in any state, territory or community, there must be a law enacted authorizing and creating it. In other words, that there is no general principle of law enabling one man to hold another as a slave. The law of nations, which recognizes the right of men, everywhere, to hold property in lands, in horses and in cattle, in gold and in silver, and in every species of inanimate goods, does not recognize the right of man to hold property in his fellow man. The common law which our fathers brought with them to this country, and which forms the basis of the law of every State in the Union, save one, recognizes the right of men to hold property in all these things, but does not admit the right of man to hold property in man. There being, then, no general principle of law by which a slave can be held as property, it follows that the Territories are free, because of the absence in them of any law authorizing slavery; and hence, before you can hold a slave in a Territory, there must be a law made for that purpose. Another consequence flowing from this doctrine is, that slavery in the States is entirely and absolutely within the control of the States in which it exists; that the people of the free States have no power to interfere with it in any respect whatsoever; but that its regulation, preservation or destruction, belongs exclusively to the people of the State in which it is established. It was the recognition of this principle that led to the insertion of the clause in the Constitution for the recovery of

fugitive slaves; for, according to this doctrine, if a slave went beyond the jurisdiction of the State in which he was held, into a free State, even by an escape, he was a free man, and could not be recovered and sent back to slavery, because of the absence of any general law recognizing the relation of master and slave. Hence, in framing the Constitution, the slave States insisted upon the insertion of a clause which would give them the right to recapture their fugitives from slavery. There is no clause for the recovery of any other species of property, and the reason is this, that all other property is recognized and recovered by general principles of law. The question then is, what power or tribunal can legislate for the Territories upon the subject of slavery? The Territories are the property of the General government, and the right to acquire them will not be disputed. If the Government can acquire, can it not govern that which it acquires? Would the right to acquire, without the power to govern the thing acquired, be of any value? The right to govern is, therefore, an incident to the right to acquire. The Territories belong to all the people of the United States, and not to any particular part of them. They belong to them in their corporate, national and governmental capacity. This being the case, how shall the people, the nation, express themselves, or make manifest their wishes respecting their property—these Territories—except through Congress? Have the people of the nation any

other voice or medium of expression. A territorial government would represent but a very small fragment of the entire nation. But we are not limited to this principle to derive the power of Congress to govern the Territories. It is plainly and explicitly declared in the Constitution, that "Congress shall have power to make all needful rules and regulations for the government of the territory and other property belonging to the United States." The gentleman who drafted this provision, understood it as conferring upon Congress plenary power to legislate upon the subject of slavery, and upon all other subjects appertaining to the Territories; and not only so, but it was so understood by men of all parties, North and South, East and West, for more than fifty years. This construction of it has only been called in question within a few years past, by the democratic party, under the pressure of new and extravagant demands made by the South.

#### HISTORICAL FACTS.

The present Government began its life in 1789, by re-enacting the Ordinance of 1787, which declared that slavery or involuntary servitude should never exist in the North-western Territory, which was then all the territory that belonged to the General government, except as a punishment for crime, whereof the party had been duly convicted. The new government thus set out in its journey of national life by a legislative declaration against

slavery, and from time to time that declaration has been renewed up to and including Millard Fillmore. The doctrine of the power and duty of Congress to exclude slavery from the Territories has been the faith of every party. It was the doctrine of the old federal party, the old republican party, of the whig party and of the democratic party throughout all its honest and honorable days. Upon this time-honored doctrine we stand, and by it we will fall, if fall we must. We want no new views of the Constitution. Its construction was settled by the first Congress and every department of the Government for more than half a century. That construction is in harmony with the plain reading of the instrument. It regards the Territories as the children of the Republic, to be trained up in the nurture and admonition of free and benign institutions, so that when they have arrived at the age of majority they will be qualified to take their places in the family of States, and be admitted to all the privileges and advantages of the Union; and as these Territories are to become our future partners in the Union, and in the administration of the Government, we have a deep interest in the formation of their characters and national habits. Our destinies are to be placed in their hands, as well as theirs in ours, and we are deeply interested that they shall contract no habit or institution that shall mar their permanent usefulness, power, or

prosperity as members of the Union. We are, therefore, interested in seeing to it that they do not contract the bad habit of slavery, polygamy, or other great national and social vice. As our children are to the family and society, so are our Territories to the Union and our great society of States. We believe that slavery is a moral, social, and political evil. That it is a curse to any people—a foe to progress—the enemy of education and intelligence, and an element of social and political weakness. For these reasons we are opposed to the further extension of slavery. But there are other considerations of a more personal and selfish character. If we do not exclude slavery from the Territories, it will exclude us. Free labor will not go to any considerable extent where slave labor exists, because it is degraded and dishonored by the association. Hence, while there are thousands that come to Indiana, Ohio, and other free States from Kentucky, Virginia, and other slave States, there is hardly one for a thousand who goes hence to the slave States. Sometimes a Yankee tin peddler will marry a rich Southern widow with negroes, or a briefless lawyer from the North a wealthy Southern heiress, and straightway he becomes the most bitter and malignant of pro-slavery partisans. But the fact is that the great body of emigration is from the slave to the free States. The introduction of slavery into a Territory prevents you and your children going there as effectually as would a

legislative act. It erects a barrier to your emigration which you will never surmount. If you would, therefore, preserve these Territories as an inheritance to you and your children, to which you and they may retire when society here becomes too crowded, or the pressure of circumstances make a removal necessary, you must preserve them free. Free labor and slave labor will not flourish in the same bed. You can not graft the one upon the stalk of the other. Where slave labor strikes its roots deep into the soil of a Territory, free labor will not grow but perish at the threshold. We are all personally interested in this question—not indirectly and remotely as in a mere political abstraction—but directly, pecuniarily, and selfishly. How can you, my democratic friends, labor for or even consent to the building up of an institution in the Territories which turns you and your children out? If you do not care for yourselves, at least care for your children. You owe to them a duty quite as high and as sacred as that which you owe to your party. But it is said that the slaveholder has just as good a right to take his slaves to the Territory as you have to take your horses there from the State of Indiana, and that if he be prohibited from so doing it creates inequality. Let us consider this proposition a moment. Can not the slaveholder go from Kentucky to Kansas and take with him every species of property which you can take from Indiana? And may he not pursue, when he

gets there, every avocation that you could going from Indiana? If so, then you and he are on a perfect equality. But if he takes slaves, he there takes what you can not, and this creates inequality. Not only so; he takes what particularly excludes you from the Territory, and thus creates the grossest inequality. The truth is there is no equality where there is not freedom, and that slavery engenders inequality both socially and politically.

#### ABOLITIONISM.

But all this will be met and answered by the charge of abolitionism, as it has been done before. If a man can not meet your arguments he can at least call you an abolitionist. If he has not three ideas above an oyster, he can still bawl "abolitionism;" and if you ask him what an abolitionist is, he will scratch his tangled locks and tell you that an abolitionist is an—an—abolitionist—and that is all he knows about it. Preventing the extension of slavery into the Territories is one thing, and the abolition of slavery in the States where it exists is quite another thing. And the man who has not sense enough to distinguish between them ought to have a guardian appointed at once; he is incapable of taking care of his own business, or even of keeping out of the fire. If I were asked the question, why the republican party has not a majority in every township in every free State, I should answer that it is because the republican idea of preventing



the extension of slavery into the Territories and preserving them to free labor, is constantly mixed up by our enemies with the other idea of interfering with slavery in the States and turning the negroes loose among us. The body of the people recoil with instinctive dread from the emancipation of slaves in the States, and the sudden inundation of the North by masses of free negroes—idle, ignorant, insolent, and barbarous. And the party that can alarm their fears on that subject makes a deep impression on their minds. The two ideas have no connection with each other—are not dependent on each other. Indeed, the majority of those opposed to the extension of slavery are utterly opposed to immediate emancipation, and believe that when emancipation comes, if come it must, it should be a gradual work; but, whether immediate or gradual, a thing with which they have nothing to do. When once these two ideas are separated in the public mind, and the people are fed with the pure manna of republicanism, stripped of this democratic husk of abolition, we will prevail in every township in the free States, and the reign of sham democracy will have ended forever.

#### DEMOCRATIC PROGRESS.

It has been the grand boast of the democracy that it was progressive. I love that progress which implies a growth of grace, an accession of wisdom, and the trimming of our lamps by the light of ex-

perience; but the progress of the democracy has been from good to evil principles, from light to darkness; beginning with the prohibition of slavery in the Territories and its confinement to existing limits, and ending with labors for its universal empire, and seeking to unbar the gates which our fathers erected to shut out the horrid commerce in human beings which comes across the seas. And so great has been its progress that it is now encamped upon ground that our fathers regarded as accursed, from which they recoiled with horror. We find ourselves debating the same questions our fathers debated eighty-five years ago. They were then discussing the right of men to be free, the superiority of free society over slave society, and of free labor over slave labor. They had for their antagonists the British king and the British Parliament, and we have for ours a party calling itself democratic. The men of the revolution were vain and short-sighted. They thought they had established the claims of liberty and put them on such high and indisputable grounds that no coming generation would call them in question. In this they were sadly mistaken. The race of little giants has risen up—latter-day saints—who boldly assail every fortification and rampart of liberty erected by the fathers, and proclaim the doctrine that the first few persons who enter a Territory and get possession of the Territorial government may, if they choose, make everybody else slaves; that if one man choose to make a

slave of another, and any third man should interfere, that such interference is unconstitutional intervention; that slavery is not a question of natural right, justice, or religion, but one of climate, convenience, and economy merely.

### THE VITALIZING PRINCIPLE OF DEMOCRACY.

Slavery is the vitalizing principle of the democratic party. The seat of government of that party is Richmond, Virginia, and its loyal provinces are the slave States of the Union. The small remains of power which it has in the North are precarious and crumbling to a fall, and we look forward to the time, not deep in the future, when it shall make its final exodus from all the free States. The democracy of the North are not living for any valuable or honorable purpose. They are fighting for a cause which is not their own, and against their neighbors, friends, and their own highest, best interests.

### THE DRED SCOTT DECISION.

Before undertaking to define the present position of Douglas and the Douglas democracy, it will be necessary to consider the Dred Scott decision. It is the key which unlocks their policy. A negro named Dred Scott brought a suit in the Circuit Court of the United States, for the District of Missouri, to assert his freedom and the freedom of his family. The defendant, Sanford, who claimed to be his owner, filed a single plea—a plea in abatement

to the jurisdiction of the Court—alleging that Dred Scott was not a citizen of the State of Missouri, within the meaning of the Constitution, because he was born of slave parents and had negro blood in his veins. If he was not a citizen because of these facts, then the Court had no jurisdiction; and this was the only question properly before the Supreme Court; but the interests of slavery and the exigencies of the democratic party required that the judicial mantle should be cast around certain doctrines to make them sacred in the eyes of the people. The Court went beyond the case and outside of the record, and decided, first, that the Constitution by its vigor carried slavery into the Territories—that is, authorized the holding of slaves there in the absence of local law creating slavery; secondly, that neither Congress nor the people of a Territory had any power to exclude slavery therefrom; thirdly, that if the courts should prove inadequate to the protection of slavery therein, it was the duty of Congress to intervene and furnish whatever legislation might be necessary for that purpose—in other words, to provide a slave code. In deciding these questions, the Court has assumed the existence and power of a new sovereignty that threatens to absorb and annihilate every other, and to become as formidable an enemy to liberty as the Council of Ten in the Republic of Venice. The power thus assumed is the exclusive right to interpret the Constitution. The Government was divided into three depart-

ments—executive, legislative and judicial. They were intended to be co-ordinate and independent, that they might check and balance one another; but by this new theory the one is made dictator to the other two, and the one that is not elected by the people nor made responsible to them. Thus the balance in the Government is destroyed, and Congress can only exercise such powers as the Supreme Court may graciously accord to it. Mr. Jefferson's view was undoubtedly correct when he said that "each department is truly independent of the others, and has an equal right to decide for itself what is the meaning of the Constitution in the cases submitted to its action." General Jackson took the same view of the question when he said that he had sworn to support the Constitution as he understood it. This court has attempted to strip Congress of its powers, deny the power of the people, and convert the Constitution into a common carrier of slavery into all our national domain—not only into our Territories, but into the States also. To sum up the whole matter, if the doctrines of the Dred Scott decision shall come to be regarded as the law of the land, there will no longer be a free State or Territory, and this Republic of ours, once the hope of the world, will have been converted into an empire of slaves.

## THE DOUGLAS POSITION.

There were two platforms presented at Charleston; the one, brought forward by the majority of the committee, embodied the substance of the Dred Scott decision, as I have before stated it, on the subject of slavery. The other, presented by the friends of Mr. Douglas, reaffirmed the Cincinnati platform, with an additional resolution pledging the party to stand by the future decisions of the Supreme Court on the subject of slavery. This last was not satisfactory to the Southern men, because they claimed that the question was already decided in the Dred Scott case, and they demanded of the Douglas men that they should pledge themselves to stand by that decision. The Douglas men said if they did, they could not carry a Northern State. The Southern men said if they did not, they could not carry a Southern State, and thus the factions separated, and afterwards came together at Baltimore. Mr. Douglas was finally nominated by the melancholy remains of the original convention, and Mr. Breckinridge by the seceders. Mr. Breckinridge was placed on the platform as reported by the majority of the committee at Charleston; and Douglas upon the platform of the minority, with the addition of a single resolution, which has been appropriately termed the codicil to the will. It is in these words:

*Resolved*, That it is in accordance with the Cincinnati platform that during the existence of terri-

torial governments, the measure of restriction, whatever it may be, imposed by the Federal Constitution on the power of the Territorial Legislature, over the subject of domestic relations, as the same has been or shall hereafter be decided by the Supreme Court of the United States, should be respected by all good citizens, and enforced with promptness and fidelity by every branch of the General Government.

Douglas, in his letter of acceptance, refers to, and adopts this resolution. You perceive that it concedes all that the South demands at Charleston,—that it pledges him to stand by the decision already made, thus placing him on the Dred Scott platform, the platform of extreme Southern rights, alongside of Breckinridge.

The difference between the Douglas and Breckinridge platform is simply this: That in the Breckinridge platform, the doctrines of the Dred Scott case are drawn out and stated in clear and distinct propositions, while in the Douglas platform the decision is adopted by reference, under the hope that the great body of the people would never see it and read it. But his conversion to this large body of orthodox divinity, comes too late to save him in the South. Southern politicians say that it is wholly unimportant what profession Douglas may make on the Slavery question, because they believe him thoroughly and utterly dishonest, and incapable of being trusted by the South any more than by the North.

In his recent Southern speeches, as well as in that made at New Orleans some time since, he admits that slave property stands on the same footing with other property, and may go into the territories like other property under the Constitution, and requires no local law for its support. The utmost that he claims for the people of a territory,—is the right to regulate this property. This being conceded, all is lost; for when slave property is put upon the same footing with other property, it may not only go into the Territories in the same way, but into the States also. Can the Legislature of Indiana prevent a citizen of Kentucky from coming into this State, bringing with him his horses, his cattle and his household goods? Certainly not; and if slave property be put upon the same basis, there is no power to prevent him from bringing that also.

#### NON-INTERVENTION.

Notwithstanding the position in which Douglas is placed by his platform and letter of acceptance, his claims for the presidency are still urged by his friends upon the doctrine of non-intervention; and this, right in the face of the fact that he is pledged by his adoption of the Dred Scott decision to intervention for the protection of slavery. But, aside from this, the cry of non-intervention is senseless and unmeaning. What principle does it affirm or deny? Does it affirm that the people of the Territories have the power to exclude slavery? Does it



deny that the Constitution, by its inherent power, plants Slavery in all the Territories? Does it affirm the doctrine of popular sovereignty or deny the doctrine of universal salvation by Slavery? There is no more sense in it than in the parrot's cry of "pretty Poll."

It is indeed but a weak and wicked excuse for knowing nothing and doing nothing to prevent the universal spread of the greatest of human afflictions, the institution of Slavery. They say Douglas is the author. Not so. It was first asserted by Cain, when he denied to the Lord that he was his brother's keeper. It was afterwards affirmed by the Levite, when he walked by on the other side and left the man who had fallen among thieves, weltering in his blood. It has always been advocated by that squatter sovereign,—the devil,—who urges upon a sinful world that they shall regulate their institutions in their own way, irrespective of the statutes enacted by the Almighty. If you ask a Douglas politician whether the people of the Territories have power to exclude slavery, he turns turtle, and draws his head under the shell of non-intervention. If you ask whether the Constitution carries slavery into all the Northern domain, he turns parrot and says non-intervention. And I suppose that when the Almighty shall call him to his final account, he will put in the plea of non-intervention and prove it by a copy of the Cincinnati platform.

## DOUGLAS THE PRIEST AND APOSTATE.

Douglas is the great political kaleidoscope of the day. He never appears twice in the same figure. First he came to us as the priest in full canonicals, and canonized the Missouri Compromise, pronouncing the curse of the Almighty upon the ruthless hand by which it might be destroyed. We next see him in the temple as the apostate, and with "ruthless hand" tearing down that compromise and obliterating from the walls the inscriptions and landmarks of liberty which had been placed there by our fathers. We next see him as the devotee, worshipping at the shrine of that double-headed monster, Squatter Sovereignty and the Sovereignty of the Supreme Court; and, in one grand Satanic effort, upholding and vindicating the Dred Scott decision and the sovereignty of the people of the Territories. Of what avail that his argument is ingenious and his reason strong, if at the same time he affirms the infallibility of that infamous decree which pronounces his argument as but a sounding brass. Squatter Sovereignty is a monstrous fungus, which he is seeking to engraft upon the body of the Constitution—erecting Territories into States outside of the Union—making them virtually independent governments, at liberty to join our confederation or any other that they may choose. In his speech, on the Lecompton Constitution, speaking of slavery in Kansas, he said he did not care

whether it be voted up or voted down. I declare to you that when I first read that speech I could scarcely believe that he had been correctly reported. It seemed to me that no intelligent man could be found who had not some feeling or opinion on that subject. Now the institution of slavery has been the source of revolutions, of national decay, and national ruin in every age and country in which it has existed, and yet this democratic luminary tells the American people that he does not care whether it be voted up or down. The conflict between slavery and freedom, which in some form has been going on in every age and country in the world, is a matter about which this philosophic statesman is so poorly informed, and cares so little that he is profoundly indifferent upon which side victory shall declare. Mr. Douglas made this declaration to prove to the South that he had no lingering sentiment in favor of liberty—no remaining partiality for free institutions—but he miscalculated the effect. It shocked the public conscience both North and South. It seemed unnatural, improbable, if not impossible. You could not see two dogs fighting in the streets of Fort Wayne without taking sides. You would be for the white dog or the black; and if a democrat most probably for the black.

Under this declaration the North can not take Mr. Douglas, because he is indifferent to freedom; the South can not take him because he is indifferent to slavery. For, having no principles upon

the subject either way, he would be at liberty to serve either party, or cheat either party as his self-interest might dictate. In the debate between him and Mr. Lincoln, at Freeport, Illinois, in 1858, Lincoln asked him in substance this question: "Whether the people of a Territory, by the Territorial authorities, could exclude slavery?" This put Douglas in a tight place; if he said they could, he would forfeit his last claim upon the South. If he said they could not, he would probably lose the State of Illinois in the then approaching election. So he resolved to take a middle course. He answered, that the people might exclude slavery by "unfriendly legislation"—that no difference what the Supreme Court might decide as to the right of the slaveholder to take his slaves into a Territory, and hold them as property, he could be practically excluded therefrom. He could be annoyed out of the Territory, taxed out, or have those police regulations withheld which might be necessary to support slavery.

Mr. Douglas never said a more reckless or dishonest thing. If the slaveholder has the constitutional right to take his slaves into the Territory as property, he can not be deprived of it by indirection; on the contrary he is entitled to protection; for every man is entitled to be protected in the enjoyment of every constitutional right. We deny the existence of the right; but if we concede the right the duty of protection follows.

## IMPUDENCE ON A LARGE SCALE.

Mr. Douglas has been distinguished throughout his public life as an ultra free trade man. He has upon every occasion denounced protection in every form—he has been more consistent upon that subject than upon any other; but, in a speech made a few days ago at Harrisburg, Pennsylvania, he came out boldly for a protective tariff, declaring that it was the duty of Congress to protect the coal and iron interests of Pennsylvania; that it was the improper intrusion of the slavery question into Congress which had prevented consideration and action upon the manufacturing and mining interests of Pennsylvania. Now I hate impudence in a small way as much as anybody, but in its loftier flights and great manifestations it compels my reluctant admiration. Here is a man who has scarcely spoken upon any subject but slavery for six years, who is the author of the present agitation upon that subject, who by his unfortunate and wicked repeal of the Missouri Compromise has convulsed the nation and brought it to the verge of civil war, who now, ignoring all this history and all his past life upon the subject of free trade, declares himself suddenly in favor of a protective tariff in order to secure tariff votes in Pennsylvania. Who now can say that Mr. Douglas is honest? To him there is nothing sacred in American history nor in the traditions of the fathers.

The earlier Presidents proclaimed the maxim that it was vulgar and demagogical for a candidate for the Presidency to vex the ears of the people with petitions for their votes, to go about the country exhibiting himself and his political wares like a common mountebank. Douglas started out on his electioneering tramp under the filial pretence of hunting his mother. He then went to Harvard to get a Doctorate, but he did not succeed. Afterward, becoming more bold or more desperate, he threw off all disguise and stood avowed as the wandering and peripatetic candidate for the Presidency.

A NEW EDITION OF THE DECLARATION OF INDEPENDENCE, REVISED AND CORRECTED BY LOCOFOCO, ESQ., LL. D.

The democracy have not only attempted to remodel the Constitution, transforming it from a charter of freedom to a black statute for slavery, but they are now engaged in the laudable occupation of getting out a new edition of the Declaration of Independence, greatly revised and improved. The Hon. Cyrus L. Dunham, a Douglas elector for the State at large, in a speech in Wayne county several weeks ago, quoted from the new edition, and said that where the Declaration affirmed that all men were created equal, and endowed with certain inalienable rights, it did not mean all men, but only those of Saxon and Celtic blood. This leaves the German, the Swede and the Norwegian unprovided

for. They have no place in the Declaration, and to them the gospel of liberty is not preached. They are not among the elect, but have been consigned with the negro, to the outer darkness of Slavery. I should like to hear that gentleman give a construction to that command of our Saviour: "Go ye into all the world and preach the Gospel to every creature." I presume he would say that the phrase "every creature," comprehended those only of Saxon and Celtic blood; and if he were called upon to render the Lord's prayer, would make it read thus: "Our Father (to-wit the father of the Saxon and the Celt)." Oh, with what irrepressible loathing are we compelled to meet and refute these Satanic heresies. If Jefferson could have looked down the stream of time and have seen these supple tools of Slavery crawling across his immortal page and seeking to deface its inspired teachings, he would have torn the manuscript to fragments to preserve it from the defilement. There was a time when liberty was loved for her own sake, when devotion to her cause was not inspired by selfish or economical considerations; when her form seemed so beautiful, and her robes of such spotless purity that she provoked the idolatry of mankind. Who so stupid as not to see that liberty is shorn of her divine attributes, and becomes a thing of merely human invention, when she is claimed as the inheritance of a particular race, to the rejection of others? God gave to man dominion over the earth and seas,

the beasts of the field and the fowls of the air, but not over his fellow man. That he reserved to himself; and whenever man assumes to be the master of his fellow, he is usurping the prerogative of God. Our fathers did not regard liberty as an arbitrary, conventional, or constitutional thing, but as the gift of every man born into the world, believing that God was our common Father, and the ruler of us all, but that every man as between himself and his fellow had a right to himself, and to eat in security and peace the bread which his own hand had earned. And I will inquire now, in what consists our security that our liberties shall be preserved? Not in these rich fields, not in mines, in commerce, in material wealth, in navies nor in armies, nor yet in paper constitutions, but in the conviction deeply seated in the public conscience, that liberty is the gift of God to every man.

#### HENDRICKS AND THE HISTORY OF THE DEMOCRATIC PARTY.

I learn that Mr. Hendricks has been here, and has recited before your people, his time-honored eulogy upon the services and memory of the democratic party. He is the great democratic antiquary, and plunges deeply into the antiquities of American politics; a sort of Old Mortality, reviving the faded inscriptions upon democratic monuments. He delights to attribute all that is glorious and useful in the past history of the nation,—its past progress



and present power to the services of the democratic party. But I am not aware that he speaks of any great achievement by the party since 1854,—since the time it cast off its old principles and clothed itself with new ones. The events to which he refers, and the good which the party has done, all occurred before that time. But he makes one singular omission, which is even more remarkable in a gentleman so fair and candid as he professes to be, which consists in failing to state that the party in that golden age, while performing these great and glorious deeds, stood upon republican ground in regard to the question of slavery. Those glorious achievements,—I claim them all. They were performed by men of my faith and not of his, by men who recoil with horror from his doctrines. If there be any achievement of the party, which he so extols, of which any honest man should boast since 1854, I am ignorant of it. True, there is the Mormon war. I shall not forget that short and decisive campaign against the Mormons,—the capture of Brigham Young by high prices for his beef and flour, and his honorable surrender upon having everything his own way, as in former times. The occupation of Utah by our troops, is the only case of genuine non-intervention on record; for the army refused to interfere with the Mormons in any respect, but left them free to regulate their domestic institutions in their own way, subject only to Brigham Young and his forty wives. The fact is, the

democratic party in times past have done many good and glorious things, of which I feel justly proud, and I do now and ever shall protest against this inheritance of glory passing out of the family to a bastard issue, though it bear the same name.

#### HENDRICKS AND THE SWAMP LANDS.

Mr. Hendricks read before your hearing, I am told, a brief, a very brief extract from the report of the committee to investigate the swamp land frauds, tending to impeach the officers elected by the people's party, in 1854, with malfeasance and corruption in office. I must again express my surprise that a gentleman so distinguished by professions of candor and fair dealing should have omitted to read other parts of that report equally important and significant. To read one passage and omit others bearing upon the same point, is but garbling, and must make a false impression. Of course, Mr. Hendricks did not intend this, but it has unfortunately occurred the same way in every county where he has been. I will now read the part which he read. It reads thus:

“In the year 1856, without the color of law, and in violation of right, the then Auditor of State, Hiram E. Talbott, directed the Auditor of Jasper county, to withhold from sale, a large amount of swamp land designated by him. The committee are compelled to conclude, that this order was prompted with a view to personal and private spec-

ulation (see the letter of the Auditor and the letter of A. B. Conditt, on file). This, no doubt, was the commencement of a system of frauds unheard of before. A spirit of speculating in these lands was engendered, and, in a short time, there were found four separate companies, who selected, as they termed it, and actually obtained, by the complicity of the Swamp Land Commissioners, deeds for about one hundred and twenty-four thousand acres of the best of the lands vacant in the county.

“ [For the names of the parties in this scheme we refer you to the evidence herewith filed.]

“ The deeds to these lands were procured without the shadow of law, from the officers of State.”

I will now read another and more lengthy extract from the same report, closely following that read by Mr. Hendricks, and which he unfortunately overlooked. It reads thus :

“ From the evidence in possession of your committee, they can not but express their surprise that Governor Willard should have appointed Jacob Markle to the responsible office of Swamp Land Commissioner of Jasper county, soon after the expiration of his term of office as Treasurer of the said county, notwithstanding it was known to his Excellency that said Markle had been sued on his official bond as a defaulter to the Swamp Land Fund, in 1855, which suit he has compromised by giving his notes with surety for the sum of \$23,460 30, thus acknowledging his defalcation ; and the greater

part of these notes, though due, was still outstanding and unpaid; and, notwithstanding it was known to his Excellency that said Markle had again been sued in 1856, upon his official bond as Swamp Land Treasurer, for a further defalcation of \$14,000 to the Swamp Land Fund, as certified by the Auditor of State; and that, in 1857, judgment was obtained against him in another suit upon his official bond as County Treasurer, to the amount of \$1,000 for State revenue, and that was then and still is pending against him, upon his official bond, for defalcation of county revenue, and had not, at the date of his appointment as said commissioner, and still has not settled with the Auditor and Treasurer of State or County Commissioners, for either State, swamp land or county revenues; and notwithstanding it was known to his Excellency, that by Sec. 10 of Art. 2, of the Constitution of Indiana, said Markle was wholly 'ineligible to any office of trust or profit,' and that by an act of the legislature, approved March 1, 1855 (see Acts, 1855, page 85), he was guilty of felony. Still, with a full knowledge of all these disqualifications and disabilities, he (Markle) was appointed and invested, by his Excellency, with the duties of this important and responsible office, for the performance of which he is not required to give any bond. In view of these facts, your committee would recommend that his Excellency be respectfully requested to remove Mr. Markle from said office."

There are good and bad men in all parties, churches, orders, and organizations. If we should expect to find absolute purity in any of them we should be very much disappointed. The true test as to whether any church, party or organization of men is honest is found in the fact that when they find an offender or scoundrel in their ranks they will punish or expel him. If, upon discovery, it lop off the rotten member and put away the uncleanness, it vindicates its character as an honest church, party, or organization. If, on the other hand, it defend the criminal, palliate his guilt, and shield him from punishment, then its members become partners in his crime, alike corrupt and deserving of the condemnation of all men. Let us apply this principle, so plain and simple. At the last session of the legislature, the republican members of the house brought forward a bill which contained a provision instructing the county commissioners, in which the swamp lands were situated, out of which the State had been swindled, to bring suit to recover back the lands. This could easily have been done. The frauds in most cases were patent, and the lands were nearly all in the hands of original holders, for they could not sell them owing to the cloud that hung over the title. The investigations growing out of these suits would have shown who were the swindlers, and would have located the fraud upon the shoulders of the right party. Every democratic member of the house voted against

this bill. When it was before the house for consideration the lobby swarmed with leading democrats, urging the democratic members of the house to defeat the bill by any means whatever; and when afterward, in another form, this provision was about to become a law—there being a majority for it—the democratic members of the house defeated its passage by breaking the quorum, and thus effectually staving off the investigation. I might conclude my remarks upon this subject by again expressing my surprise, that Mr. Hendricks should have omitted a statement of these facts, so important to a correct understanding of the swamp land affairs.

#### THE TWO NATIONAL EXCLUSIVE DEMOCRATIC PARTIES.

We have now two parties, each claiming to be the sole, exclusive, national democratic party. They are quarreling about a name to which neither has the slightest title. Mr. Buchanan said, many years ago, that if he had a drop of democratic blood in his veins he would let it out. Since he has been elected President, he has let out the last drop from the veins of his party, and there is nothing now left to quarrel over but a decaying or putrefying *carcass*, and the republicans have the unpleasant job of hauling this carcass out on the common. These two opposing parties or factions are calling each other all manner of hard names, and charge each other with all manner of iniquities, and as

their means of knowledge are excellent it would be indelicate in us to contradict them. For example, the Douglas men call the Breckinridge men fire-eating disunionists, slave code interventionists, bolters from the democratic party, and pronounce upon them that terrible curse which is intended to consume them in all their parts. On the other hand, the Breckinridge men call the Douglasites the half-breeds, the mulatto democracy; in common parlance "neither pig nor pup," being a vulgar cross between the rearing followers of William Lloyd Garrison and the fire-eating satellites of John C. Calhoun, a dissolute gang of political desperadoes without a principle and without a hope. It is not necessary for us to pass judgment upon the justice of these encomiums. The Breckinridge men claim that Breckinridge is the regular democratic candidate, because he was nominated by the democratic States and represents the sentiment of the party where it is in power. On the other hand, the small handful of democrats in Massachusetts, hardly enough to fill the offices, claim the privilege of nominating a candidate for the democratic State of Virginia. The democracy of the hopelessly republican States say they ought to be allowed to nominate the candidate inasmuch as they can not elect one. But the unwashed democracy of the South say that if they have to do the electing they want to do the nominating too—a very absurd demand indeed. The fact is the nomination

of Douglas was brought about chiefly by the vote of States which he had no earthly hope of carrying.

### THE ADMINISTRATION OF J. B.

In 1852 Pierce came into office by a large majority of the people of the United States, and four years afterward retired, I believe by universal consent. The present administration has forfeited the respect and esteem of men of all parties. It has been distinguished by a treachery and corruption that have disgusted even the democracy; from which it may be argued that they are very great. Old Buck's bachelor life will be a type of his administration, for it will leave behind it no fruit that he will care to own and no one to drop a tear to his memory. He has cleared at a single bound the gulf which separates freedom from slavery, which his party has been so laboriously trying to bridge for many years. Douglas is the architect of this patent, suspension, squatter sovereignty bridge; but old Buck, spurning the rickety fabric, leaped at once nimbly to the other side of Jordan. Under this administration, defalcation, bribery, and extravagance are no longer compelled to conceal themselves from the public eye, but stalk abroad like the pestilence at noonday, tainting the whole moral atmosphere, and telling of the near presence of putrefaction and decay. You are familiar with the history of those defaulting martyrs, Price and Swartwout. Well, the blood of these martyrs has



become the seed of the modern democratic church, which having been sown upon good ground has produced considerably more than a hundred fold. The cry for reform is heard throughout the land.

Thousands and tens of thousands of men who are opposed to us on the slavery question, are demanding a change in the administration, and they say they will welcome any change, for things can not be worse and may be better. They are apprehensive of a dissolution of the Government from sheer rottenness, believing that where all the channels of authority are tainted and choked by corruption, where all the powers of the administration are exerted for individual aggrandizement, to the ruin of the greatest public interests, the end will speedily come.

#### HONEST OLD ABE.

We have presented to the country as our candidate for the Presidency, Abraham Lincoln, of Illinois, better known as Honest Old Abe. What a title that is! It carries him right to the people without a formal introduction. It is a title of which he should be more proud than of all the thirteen so gaudily worn by the Prince of Wales now visiting our shores. It has become somewhat fashionable with Douglas politicians to depreciate his intellectual qualifications. To show how unbecoming and improper it is for any friend of Mr. Douglas to attempt to impeach his ability, we have

but to refer to the joint debates between them in Illinois in 1858. These discussions were reported at the time, word for word, and have been since republished by the republican party, in book form, without change or comment, and circulated as a campaign document. No intelligent man can read these debates without being satisfied that Lincoln is the superior of Douglas in a knowledge of the history and principles of the Government and in logic, and overwhelmed him at every point. He proved himself also the superior in good manners, for while Douglas was frequently rude, personal, and offensive, Old Abe was always in a good humor; and the madder Douglas the merrier was Abe. The fact is, if any man can read these debates in their order, beginning with the speech of Douglas, then taking the speech of Lincoln, and so on through without becoming a republican, I give him over to reprobacy of mind and hardness of heart. Notwithstanding Lincoln's great mental ability, he has other qualities which I admire still more. He is an honest man—"The noblest work of God." He possesses that rare and sterling integrity that secures the love of all who know him and places him, like Cæsar's wife, above suspicion. There is that in his character that causes the shafts of falsehood and malice to fall harmless at his feet. The truth is his enemies have not had the courage to do any considerable amount of lying about him. They have told a few small ones, but have in nowise pre-

judiced his cause. They first said that he had voted in Congress against supplies to our army while in Mexico, but it turned out upon examination that he was not in Congress at that time. So that story fell to the ground. They then said he had voted against bounties to the soldiers and the widows of soldiers who had served in the Mexican campaign, but it turned out that he had always voted for the largest proposition of that kind, though he had refused to vote that the war was rightly commenced. The last story I have heard of was that he had kept a grocery while a young man. The story was immediately proven to be untrue; but the absurdity of the democratic party urging that as an objection to any man, became so manifest that they laughed at it themselves and let it drop. He is the child of labor. His boyhood and early manhood were spent in honest toil in forest and in field, and he is thus pre-eminently qualified to be the candidate of the republican party at a time when free labor and slave labor are brought in conflict face to face. He is in his own person the representation of free labor, and what it can do in ennobling and dignifying the human character. His hands, like yours, have been hardened with toil, and his brow has dripped with the perspiration of honest labor. If, by your honest industry and toil, you have acquired a home and a competence, Old Abe can sympathise with you. He knows just how you came by it.

In conclusion, let me again state the issue. If

you believe slavery to be a good thing, and that it should be universally extended, that slave labor is better than free labor, then vote the democratic ticket and you will vote your sentiments. If, on the other hand, you believe that freedom is better than slavery—that the Territories should be preserved for free men and free labor—that freedom should be national and slavery local and sectional, then vote the republican ticket and you will vote your sentiments, and do your duty to your country and your God!

In this speech some things are repeated which were said at Terre Haute, but there are enough new points in it to make it well worth a perusal. Under the head, "Historical Facts," is found a brief presentation of political and legislative precedents, pointing clearly to the republican doctrine as expounded in this and the Terre Haute speech, as the policy of the fathers, as the creed of all parties previous to 1854.

The masterly review of the Dred Scott decision, and the exposition of the inconsistencies of certain democratic leaders, show how thoroughly the democratic party had become corrupted by Southern slaveholders; how it had been converted into a pro-slavery engine for the purpose of nationalizing and spreading an institution which had been regarded by the framers of the Constitution, and by the democracy up to the year 1849, as purely local and

only capable of existing by positive municipal enactments.

This truly great speech was published not only by the republican papers of Indiana, but by those of many other States, which fact goes to show that Morton was regarded as the great expounder of republican doctrine.

Some few there were, as Mr. Julian of Indiana, who thought Morton's exposition of republicanism too conservative and not in accordance with the true faith; but the majority of the leaders of the republican party, and the great republican masses of the North-west, indorsed nothing more radical than is contained in his speeches; and the numerous efforts made by certain prominent individuals to destroy Morton's influence and depose him from his position as the acknowledged leader of his party in his State were all fruitless.

Morton was no less an enemy of slavery than those radicals who demanded its immediate and unconditional abolition, but he knew that reform was never promoted by attempting to push it in advance of the intelligence of the people; that in order to successfully carry forward a great social or political enterprise, society must be taken as it is. His talents being no less practical than brilliant, he displayed in all his political operations that disposition and capacity to adapt means to ends, which marks the career of every successful reformer. And the fact that his democratic oppo-

nents feared him more than almost any other advocate of republicanism, and were never able to successfully meet his arguments, shows that his views of the course which should be pursued by his party were correct, and that his plans were of the most efficient character.

But his remarks in this speech under the head, "A new edition of the Declaration of Independence, revised and corrected," etc., etc., show that he was looking forward to the day when the people would be educated up to that point where they would see, as expressed by a distinguished democrat of Missouri, in 1863, "that the institution of slavery is an enemy to constitutional liberty," and that it is incompatible with the existence of a republic.

## CHAPTER V.

Close of canvass of 1860—Commencement of the Rebellion—  
Morton's speech before republican meeting at Indianapolis,  
November 22d, 1860.

The political campaign of 1860 closed with the success of the entire republican ticket. All the Northern States gave large republican majorities, and Abraham Lincoln was called to administer the Government of the United States. The South having long matured the scheme of rebellion, made this success the pretext for attempting to dismember the republic. The news of the election of Lincoln had scarcely reached the city of Charleston before the citizens of that place, with their hats adorned with revolutionary cockades, went shouting through the streets, "The Union is dissolved; the South is free!" Soon it was announced that a convention would be called in South Carolina, with a view to passing an ordinance of secession. The gloom which overcast the souls of the people of the North, upon the reception of this intelligence, clouded all brows, saddened all hearts. Almost every species of business was checked, all the ordinary interests of life flagged, and one great all-absorbing question overshadowed every other: How shall the UNION be preserved?

To this question two answers were given; viz., 1, by force of arms; 2, by conciliatory measures.

While the country was very much divided, and many were clamoring for compromise, and even some prominent republicans favored a peace policy and said, "Let the South go without bloodshed," Morton took a bold, firm stand in favor of vigorous measures, and the preservation of the country as a whole, if need be by force of arms.

Shortly after the election of Lincoln the republicans of Indianapolis met to rejoice over the success of their ticket, and give some general expression of their views respecting the condition of the country.

The able, statesmanlike speech here presented, shows the position taken by Oliver P. Morton at that early stage of the rebellion. The arguments contained in it in favor of a vigorous policy and against the idea of a peaceable separation are unanswerable.

Upon coming before the audience Mr. Morton said:

We hear much said against the policy of coercing South Carolina in case she attempts to secede.

What is coercion but the enforcement of the law? Is anything else intended or required? Secession or nullification can only be regarded by the General government as individual action upon individual responsibility. Those concerned in it can not



intrench themselves behind the forms of the State government so as to give their conduct the semblance of legality, and thus devolve the responsibility upon the State government, which of itself is irresponsible.

The Constitution and laws of the United States operate upon individuals, but not upon States, and precisely as if there were no States.

In this matter the President has no discretion. He has taken a solemn oath to enforce the laws and preserve order, and to this end he has been made Commander-in-chief of the army and navy. How can he be absolved from responsibility thus devolved upon him by the Constitution and his official oath? Can it be done by the resolutions of conventions, the advice of the newspapers, or even a decided preponderance of public opinion?

There is but one way in which the President can be absolved from his duty to exert all the power reposed in his hands by the Constitution to enforce the laws in South Carolina, which is by acknowledging her independence. The Constitution provides that Congress may admit new States into the Union, but there is no provision for turning one out or permitting one to go out. A State once admitted into the Union, becomes a part of the body of the nation, and severance or secession is not contemplated by the Constitution as permissible or possible.

If Congress possess the power to acknowledge

the independence of a State and thus to place it without the pale of the Union, it must result from an inexorable necessity produced by a successful revolution. While a State is in the Union, there is no power under the Constitution for the General and State governments to enter into negotiations and to treat with each other. No Government possesses the constitutional power to dismember itself.

If the power does exist in this Government to acknowledge the independence of South Carolina, or any other State, it can only be exercised by an act of Congress. The President, of himself, would not possess it, and consequently, until released from his duty by such acknowledgments, he must exert his power to enforce the laws.

#### WHAT IS THE DUTY OF THE GOVERNMENT?

If an attempt at secession be made, there is but one of two courses to be pursued. Either to allow the seceding State peaceably to go and set up for herself as an independent government, or else by the police or military power of the United States compel an observance of the laws and submission to constitutional obligations.

Let us consider what would be the consequence of adopting the former course. If we allow a State peaceably to secede, we thereby concede the right in the most substantial and solemn manner. It would be sheer nonsense to allow a State, especially a weak one like South Carolina, to secede, and yet deny

the *right* of secession ; and that other States may not retire in the same manner whenever they see proper. We can not, therefore, allow South Carolina to secede without conceding the right and thereby settling the principle as to the remaining States. The right of secession conceded, the nation is dissolved. Instead of having a nation,—one mighty people,—we have but a collection and combination of thirty-three independent and petty States, held together by a treaty which has hitherto been called a Constitution, of the infraction of which each State is to be the judge, and from which any State may withdraw at pleasure.

It would not be twelve months until a project of a Pacific Empire would be set on foot. California and Oregon, being each sovereign and independent, would have a right to withdraw from their present partnership and form a new one, or form two separate nations. In doing so they would act with a far greater show of reason and a far better prospect of success than South Carolina. They are separated from the other States by thousands of miles of barren plains and snow clad mountains.

Their commerce is naturally with the East Indies and the Isles of the Pacific Ocean. The tie of commercial interests between them and the other States is weaker than that which binds together any other section of the Republic.

The right to secede conceded and the way to do it having been shown to be safe and easy,—the pres-

tige of the Republic gone,—the national pride extinguished with the national idea,—secession would become the remedy for every State or sectional grievance, real or imaginary. And in a few short years we should witness the total dissolution of that mighty Republic which has been the hope and the glory of the world. We should then have before us the prospect presented in the history of the petty States of Greece, Italy and the principalities of Germany.

Need I stop to argue the political, intellectual, social and commercial death involved in this wreck and ruin? We must then cling to the idea that we are a nation, one and indivisible, and that although subdivided by State lines for local and domestic purposes, we are but one people, the citizens of a common country, having like institutions and manners, and possessing a common interest in that inheritance of glory so richly provided by our fathers. We must therefore do no act,—we must *tolerate* no act,—we must concede no idea or theory that looks to or involves the dismemberment of the nation. And especially must we of the inland States cling to the national idea.

If South Carolina may secede peaceably, so may New York, Massachusetts, Maryland, and Louisiana, cutting off our commerce and destroying our right of way to the Ocean. We would thus be shut up in the interior of a continent, surrounded by independent, perhaps hostile nations, through whose ter-

ritories we could obtain egress to the sea-board only upon such terms as might be agreed to by treaty. Emigrants from foreign lands could only reach us by permission of our neighbors, and we could not reach any Atlantic port except by passports duly *viséd*. In such a condition of affairs the sea-board States would possess immense advantages, which may be illustrated and understood by comparing the wealth, prosperity and power of the sea-board kingdoms, with those shut up in the interior of Europe. Can it be possible then that Kentucky, Tennessee, Arkansas, Missouri or Mississippi, can ever become so infatuated, so utterly demented, as to subscribe to the doctrine that a State has the right to secede, thereby placing the existence of their commerce, their peculiar institution, their everything, within the power of Louisiana, commanding, as she does, the outlet of the Mississippi and the entrance to the Gulf. As the matter now stands, the port of New York is the property of the nation, held for the benefit of all the States, the revenue there collected being disbursed for the benefit of all.

But we are told that if we use force to compel submission to the laws in South Carolina, it will so excite and exasperate the other slave States, as to lead them to make common cause with her. I am not willing to believe that this treason is so widely spread, and that sympathy with South Carolina traitors will be stronger than devotion to the Union. Should such be the case, however, it should not, in

my judgment, change the course we ought to pursue. If the people of the other Southern States will not permit the enforcement of the laws in South Carolina, it would be evidence that they were intending to follow her example at their own convenience. If they intend to stay in the Union, and adhere to its fortunes, they will thrust no obstacles in the way of the General government to prevent its compelling obedience to the laws. Mere caprice and pride will not determine their action in a matter so momentous, involving the destinies of millions for all time. But if such is their purpose, and such the condition of public sentiment, we can not know the fact too soon, that we may prepare for the worst. I am not willing to believe that the bad example of South Carolina would be followed by any other States,—certainly by not more than one or two.

If South Carolina gets out of the Union, I trust it will be at the point of the bayonet, after our best efforts have failed to compel her to submission to the laws. Better concede her independence to force, to revolution, than to right and principle. Such a concession can not be drawn into precedent and construed into an admission that we are but a combination of petty States, any one of which has a right to secede and set up for herself whenever it suits her temper, or views of her peculiar interest. Such a contest, let it terminate as it may, would be a declaration to the other States of the only terms

upon which they would be permitted to withdraw from the Union.

The lopping off of South Carolina by the sword of revolution, would not disturb the unity of the balance of the nation; but would simply be a diminution from its aggregate power to the extent of her resources and population. Notwithstanding the American revolution terminated so disastrously to the British Government, after an enormous expenditure of blood and treasure, accompanied by such humiliation of the national pride, still it preserved the integrity of the remaining portion of the empire. Had our claims to independence been at once recognized and conceded by the mother country, and the thirteen colonies peaceably allowed to constitute a separate government, and take their place among the nations of the earth, an example would have been set and an admission made of which every colony, island and dependency of the empire would have speedily claimed the benefit. The Canadas, the East and West Indies and Australia would, in turn, point to this epoch in British history as a palpable and unconditional avowal of the doctrine that they had the right under the British constitution at any time peaceably to terminate their allegiance to the crown, and secede from the empire. An admission of the existence of a right so made, could it be retracted at all, could only be at the end of numerous civil and bloody wars.

Shall we now surrender the nation without a

struggle and let the Union go with merely a few hard words? Shall we encourage faint-hearted traitors to pursue their treason, by advising them in advance that it would be safe and successful? If it was worth a bloody struggle to establish this nation, it is worth one to preserve it; and I trust that we shall not, by surrendering with indecent haste, publish to the world that the inheritance our fathers purchased with their blood we have given up to save ours.

Seven years is but a day in the life of a nation, and I would rather come out of a struggle at the end of that time, defeated in arms and conceding independence to successful revolution, than to purchase present peace by the concession of a principle that must inevitably explode this nation into small and dishonored fragments.

But of the result of such a struggle I should entertain the utmost hope and confidence.

He who compares our glorious war for liberty and independence against grinding oppression, to another war to be set on foot for the propagation of human slavery, to crush out liberty of speech and of the press, and to inaugurate and revive, with all its untold and indescribable horrors, the African slave trade, must have an indifferent idea of the justice of that Providence who holds in his hands the issue of battle. To employ the language of a great statesman, "Surely the Almighty has no



attribute that could take sides with rebels in such a contest.”

I will not stop to argue the right of secession. The whole question is summed up in this proposition: “Are we one nation, one people, or thirty-three nations, or thirty-three independent and petty States?” The statement of the proposition furnishes the answer. If we are one nation, then no State has a right to secede. Secession can only be the result of successful revolution. I answer the question for you, and I know that my answer will find a response in every true American heart, that we are one people, one nation, undivided and indivisible.

At the conclusion of Judge Morton’s speech a paper was handed to him, of which the following is a copy :

“This is understood to be a meeting to rejoice over the election of ABRAHAM LINCOLN.

“Will the speaker please state to his audience:

“1. Whether or not his party rejoice over the universal bankruptcy and ruin now about to fall upon our country, as a consequence of that election?

“2. Whether they rejoice that the *free laborers*, about which they have told us so much, are on the eve of being turned out and starved as a consequence of that election?

“3. Whether they rejoice at the prospect of fraternal strife and internecine war, which now pre-

sents itself in the immediate future as a consequence of that election ?

“4. Whether they rejoice in the *humiliation* of being compelled, by the exigencies of the times, to accept the very principle announced and maintained by Stephen A. Douglas (whom they have denounced and vilified for his steadfast advocacy of it), as the only basis of Union and peace hereafter; or, on the other hand, whether they rejoice in the certainty that the honest adherence to their own principles and doctrines will insure the speedy destruction of their country, and demonstrate the failure of republican governments to the world ?

“November 22, 1860.

GORDON TANNER.”

Mr. Morton read the paper and then said:

As I recognize the person whose name is signed to this paper as a gentleman, I will with pleasure attempt to respond to his interrogatories.

I answer to the first question, that we rejoice over our victory because it is the triumph of truth and the success of correct and time-honored principles.

Should bankruptcy and ruin fall upon the country, we should deplore it most deeply; but we should not regard it as the consequence of the election of Abraham Lincoln, or feel that any responsibility rested upon us, but in it recognize the legitimate results of the means employed by our adversaries to effect our defeat and destruction.

To the second question I answer, that should free labor lose its reward and free laborers their employment, and be brought to starvation, we would mourn over their calamities, seek to alleviate their sufferings and redress their wrongs; and, as we know the authors of the crime, we intend to hold them to a just accountability in this world, and believe that the Almighty will in the next.

To the third question I answer, that we do not rejoice "at the prospect of fraternal strife and internecine war." From such a prospect we would turn away with horror. But should they come we can rejoice in the conviction that they are not the just consequence of the election of a president according to the forms of the Constitution; but we know those who would rejoice. They are those who for months and years past have labored to alienate the hearts of this people from each other; who, for political purposes, by all the arts of defamation have poisoned the Southern mind against the North, and sought to array them in deadly hostility against each other; who have broken compromises and kept no faith; who incited civil war in Kansas and justified the attempted subjugation of a free people; who, for political purposes, have prophesied that these things would follow Lincoln's election, and are now laboring to fulfill the prophecy, and instead of seeking to allay the troubles in the land are exerting all the means in their power to aggravate the difficulty and widen the breach. They

seem exceedingly anxious to be able to tell the people, "I told you so; see what you have done by voting your sentiments and for the man of your choice."

*R. J. Ryan*—I beg leave to ask a question. I agree to and indorse nearly every thing that has been said here to-night; and I, too, trust that if South Carolina gets out of the Union it will be at the point of the bayonet. My father and mother are buried at Barnwell in that State, and should she secede from the Union, I would go and with my own hands dig up their bones and bring them away. But the question I desire to ask is this: Whether those questions were really prepared by a democrat?

Much confusion and excitement ensued for a moment, when Mr. Tanner arose in the back portion of the audience and said the questions were his and bore his signature.

Mr. Morton then proceeded: I am not surprised that my friend, Mr. Ryan, who is a very sensible gentleman, should regard it as incredible that any democrat should ask these questions.

The fourth question, as you perceive, is quite lengthy, and has a very considerable stump speech injected into the body of it. My friend, Governor Lane, understands parliamentary law, and I appeal whether I may not call for a division of the question and consider it by sections.

[Governor Lane, who was sitting on the platform, announced that the suggestion was in order.]

To the first branch of the question, I answer that we have not "vilified" Stephen A. Douglas for his "steadfast advocacy" of a principle or for any other cause. He has been upon all sides of the vexed question. Within the last twelve months he has undergone more changes than the moon. He has advocated nothing steadfastly but Stephen A. Douglas. To the third and last branch of the question, I answer that we do not rejoice in the certainty that an honest adherence to our principles "will insure the speedy destruction of our country and demonstrate the failure of republican government to the world." On the contrary, we believe our principles to be those of the Constitution and the Fathers, and that peace can only be restored and the safety of our institutions secured by bringing the government to that ancient, just, and liberal policy upon which it was founded and administered for so many years.

## CHAPTER VI.

Commencement of the rebellion—The attack on Sumter—Great excitement which followed—Governor Morton's capacity to control and direct popular feeling—Readiness with which the people responded to his call—Remarkable promptness and efficiency of Governor Morton in preparing Indiana volunteers for service—Indiana troops excel those of any other Western State—Governor Morton calls an extra session of the Indiana legislature—His message to that body—His impartiality in making military appointments, etc., etc.

On the 14th day of January, 1861, in the presence of both houses of the Indiana Legislature, Honorable O. P. Morton was duly qualified for the office of Lieutenant-Governor, and on the same day took his seat as President of the Senate. He occupied this position but two days when, in consequence of the election by the legislature of Hon. Henry S. Lane, Governor elect, to the Senate of the United States for the term of six years, he became governor of Indiana and took the oath of office.

The following is his address to the General Assembly on the occasion of his inauguration :

*Gentlemen of the Senate* :—I beg leave to return to you my thanks for the courtesy and kindness extended to me during our very brief official inter-

course. That intercourse was just long enough to exhibit on my part the awkwardness of the novice, without the improvement and facilities resulting from experience. In the new position in which I am placed I trust that our relations, both social and official, may continue satisfactory and pleasant.

*Gentlemen of the Senate and House of Representatives*:—Called by the Constitution to perform the duties of the office of Governor, it will not be expected, under the circumstances, that I should deliver a formal inaugural address. I can only promise to you, and through you to the people of Indiana, to the extent of my ability, a faithful and economical administration, to take care that the laws be enforced, and to resist extravagance and speculation, come in what form they may.

The financial affairs of our State are in great confusion and embarrassment. It will be among your first duties carefully to investigate their condition, which having done you will then be able to devise the necessary remedies and apply them as far as may be in your power. The people of this State have been promised retrenchment and reform. That promise *can and must be redeemed*.

The times in which we are called to act are full of gloomy portents, counseling us to discretion, moderation, and firmness, and I shall gladly co-operate with you in all measures having for their purpose the prosperity and well-being of our beloved

commonwealth and the preservation of the glorious and precious Union of these States.

On taking his seat as the executive of Indiana, Governor Morton introduced a new order of things. Under loose, corrupt administrations, Indiana had been disgraced in the eyes of her sister States; and, as a western writer truly remarks, had become a "by-word among her own citizens." Polluted, unscrupulous officials had grown wealthy by speculation; thousands of dollars of the people's money had been wasted by wanton extravagance. The Sinking Fund had been miserably mismanaged, and the "Stover Fraud," as brought to light by Governor Morton, was found to be one of the most unprincipled affairs ever connected with the management of Indiana's executive department. A regular system of scoundrelism had been carried out by state and county officers in respect to the disposition of Swamp Lands. It had been the policy of the State at one time to bring these lands into a tillable condition, by giving them to persons who would drain them, each individual who took land to be obligated to drain every acre he obtained; but, by the secret understanding had between state and county officials and certain land speculators, during the administration which preceded Governor Morton, thousands of acres of the Swamp Lands were made over to persons who never drained the tenth part of what they received,



while the officers themselves were constantly making illegal drafts upon the Swamp Land Fund. The credit of the State abroad was greatly damaged, owing to her finances having been so poorly economized, that she had been obliged to borrow money to pay her debts.

To bring order out of confusion,—to renovate every department, to replenish a depleted treasury, to redeem the State credit, were the duties devolving upon Governor Morton when he entered the gubernatorial chair; and earnestly did he set himself about their performance. He ushered a new era into the history of the State. Political speculators and thieving officials were hurled from position, and base, unprincipled seekers found their stars in the descendant. Public expenses were greatly curtailed, and the State's finances were carefully husbanded. This work was begun so early and pursued so persistently that the State was saved millions of dollars.

But the ordinary labors of his office and the extraordinary labor of correcting public abuses were not the only duties to be performed by the Governor, upon assuming the responsibilities of the executive chair. The cloud of disunion in the South, instead of seeming likely to disappear, continued to thicken; and the State of Indiana was greatly divided with respect to the question of the right of secession. Men were heard to say, in the State Legislature, that they would rather take their

muskets and assist the Southern people in their attempt to obtain their independence, than to support the Government. In fact, such was the apparent strength of the disloyal feeling in the Hoosier State during the winter of 1861, that the Southern traitors believed that in case of civil war they would obtain whole regiments of soldiers from Indiana; that should a coercive policy be pursued by the Administration, Indiana would secede and annex itself to the Southern Confederacy. The author was, at this period traveling in the South and heard it from the lips of more than one native of the southern part of the State, that Indiana,—at least the southern half of it,—would readily unite its fortunes with the South, in case of a dissolution of the Union. To preserve the honor of the State, to prevent its playing into the hands of secessionists, and to place it decidedly on the side of the Government, at this time, constituted a work of extraordinary magnitude,—a work which no ordinary man or men could have accomplished.

In going about it, Governor Morton consulted and secured the co-operation of the wisest and most influential men, of all parties, who were in favor of executing the laws and vindicating the honor of the country's flag. Governor Morton was never a friend of half-way measures, nor did he ever seek the advice of men of half-way principles. His loyalty from the beginning was of the most decided character, and when he saw the honor of his State

in jeopardy, that there were certain influences at work which threatened to drag Indiana into the whirlpool of secession, he stopped not to inquire what might be a man's political creed, but only asked, "What is the depth of his patriotism? Is he unconditionally for the Union?" Among the men whose counsel and co-operation he sought at this period, were Hon. Ebenezer Dumont and Hon. Lew Wallace, life-long democrats, and afterwards among the most gallant and distinguished of Indiana's military chieftains,—men, who, although they had used their utmost endeavors to defeat the election of President Lincoln, not only cheerfully submitted to the constitutionally expressed will of the people in that election, but boldly denounced all efforts to conciliate traitors as futile and pusillanimous.

Early in the spring of 1861, it became manifest that not only Indiana, but many other northern States contained a very considerable "pacific element,"—a compromising, coaxing element, composed of men willing to concede anything to the South rather than involve the country in a war for the preservation of the Union. A peace conference composed of delegates from the border States had met in Virginia and failed to accomplish anything. Commissioners from the rebel States had been sent to Washington ostensibly to negotiate with the Government for the United States property within the boundary of the seceded States, and procure a "peaceable separation." A very respectable number of highly

influential newspapers were arguing to the people and pressing upon the President (Lincoln) the "necessity of pursuing a peace policy."

Governor Morton's statesman-like foresight enabled him to see the utter futility of trying moral suasion upon rebels. His eyes had not been closed to the fact that the Rebellion had been in due course of preparation for a number of years; that it was not the passage of personal liberty bills or the mere election of a republican president that induced the South to withdraw from the Union; but, that the real cause of the difficulty was to be found in the desire of Southern politicians to make Slavery the dominant power in the Government,—the determination of Southern aristocrats to render every interest in the country subordinate to that of their pet institution. It was clearly obvious to him that no compromise involving anything less than the sacrifice of every Northern interest would be accepted by the secessionists.

Thoroughly convinced of the danger of delaying prompt action in taking steps toward the defense of the Government, he visited, in person, the President and assured him that if he would adopt a vigorous policy, Indiana would support him; that at least six thousand Hoosiers were ready to march in defense of the Union; that the State of Indiana, although somewhat divided in regard to the causes of the secession movement, would upon trial be found loyal; that nothing could more effectually

discourage the Union sentiment in Hoosierdom than a manifestation of a want of decision on the part of the Administration.

That the Governor's influence had its effect in determining the course pursued, subsequently, by the powers at Washington is clearly manifest in the changes immediately following this visit.

As has been truly remarked by an Indiana editor, "there never was a cowardly hair on Governor Morton's head," and the desire to see a set of debased, putrid, domineering politicians, styling themselves "the *chivalry of America*," thoroughly chastised, and to vindicate the honor of the North, doubtless constituted a very strong incentive to the effort thus early made by him to urge the Administration to waste no time in parleying with those who were bent on the destruction of constitutional liberty.

Shortly after the Governor's visit to Washington Fort Sumter was bombarded and reduced by the rebels. This was the commencement of the most remarkable period in the history of this nation. The attack upon Sumter opened the eyes of the people to the fact that whatever might have been the causes of the rebellion, the salvation of the country depended upon prompt energetic action; and, for a time, parties and party differences were forgotten, and the fire of patriotic enthusiasm swept the entire North. The wild pulsations of the public heart threw the whole body politic into a state

of phrenzied excitement. To control and regulate this almost ungovernable feeling and direct it to the production of good results, was an herculean undertaking, and the citizens of Indiana have cause to rejoice that in their State it devolved upon a man fully equal to the task.

Upon receiving the President's proclamation, Governor Morton issued calls to every part of the State for men. Forty thousand men, over six times the number required, sprang, with bounding hearts, to the defense of their government. Six regiments, Indiana's quota, were armed and equipped, ready for service in an incredibly short period of time. But, notwithstanding the hurry attending their preparation, they were better furnished than any other troops from the West. As they marched through Cincinnati and other points on their way to the destinations assigned them, after they were ready for the field, their uniforms, arms, and equipments were the admiration of all observers, and the newspapers of other States vied with each other in eulogizing the governor of Indiana for the extraordinary promptness and ability he had displayed in preparing the Hoosier volunteers for the service. In nearly all the North-western States Governor Morton's efficiency was held up as an example for other State executives to follow.

No sooner were these first troops in the field than the Governor sent agents to attend to their several wants; to see that all their little needs were sup-

plied while in health, and that they were properly cared for when sick. The plan of sending State agents to visit the troops was originated by Governor Morton, and though other governors endeavored to imitate him they never kept pace with him; his agents uniformly distanced all others.

In the meantime, while he was furnishing men and means for the suppression of the rebellion, Governor Morton called an extra session of the legislature. His comprehensive views of the rebellion, its causes, and the measures necessary to its suppression are clearly and eloquently expressed in the following message, delivered to the General Assembly, April 25th, 1861:

*Gentlemen of the Senate and House of Representatives:*—You have been summoned together under circumstances of the most grave and important character. Our country is placed in a condition hitherto unknown in her history, and one which all patriots and lovers of liberty throughout the world had fondly hoped would never occur. Civil war, that has ever been the bane of republics, has been inaugurated by certain rebellious States which, unmindful of their constitutional obligations, and regarding not our common history, blood, interests, and institutions, are seeking to dismember the nation and overthrow the Federal government, so wisely, and as we had believed, permanently established by our fathers.

The origin of this most wicked rebellion dates back more than thirty years. It is well known that distinguished Southern statesmen, as early as 1829, cherished the dream of a vast Southern slaveholding confederacy, comprehending the conquest of Cuba, Mexico, and Central America. The determination was then formed to break our Republic into pieces by any available pretext. The first one seized upon by South Carolina was the tariff question; and had not the nation had for its executive a man greatly distinguished for patriotism, courage, and decision of character, widespread and disastrous consequences might have followed. By prompt and energetic action, the rebellion was crushed out for the time, to be revived, as subsequent events have shown, on new pretenses and in another form.

The election of a president of the United States through the forms of the Constitution, entertaining opinions obnoxious to certain States of the confederacy, is boldly published to the world as a just cause for the dissolution of the Union, and bringing on if necessary for that purpose all the horrors of a bloody revolution. It would be an insult to your intelligence to argue that the admission of this pretense as a justification would be clearly fatal to all republican government; that popular institutions can only be sustained by submission to the will of the people as expressed through the forms of the Constitution, trusting to



the peaceful remedy of the ballot-box for the redress of grievances. And the wickedness of this pretense is greatly aggravated by the reflection, that it is utterly hypocritical, that it was only put forward in furtherance of schemes entertained for years, and supported by notoriously false assumptions of fact and logic.

When we read the history of the late democratic convention at Charleston by the light of subsequent events, can we fail to see that the scheme of secession and dismemberment of the Republic was then completely formed, and that the disruption of that convention was one of the steps toward its consummation. If confirmation of this opinion were needed, it will be found in the fact that certain traitorous members of Mr. Buchanan's Cabinet were systematically engaged, for many months before the late presidential election, in placing the arms and defenses of the nation in a position to be readily seized by the seceding States.

Secession was at first argued as a right springing from the Constitution itself, but as the movement gained strength, the flimsy pretext was abandoned and ceased to be a subject of discussion, and what in an hour of weakness was claimed by feeble argument, is now boldly asserted by military power.

The North, conscious of her strength and the rectitude of her intentions, has hitherto remained quiet, making no preparation whatever for a conflict of arms. Her forbearance has been construed

into cowardice, and her efforts to keep the peace have but provoked increased insolence and aggression. The secession movement has from the beginning been an act of war. Ordinances of secession have been immediately followed and sometimes preceded by the violent seizure and plunder of national property, and the forcible expulsion of the agents and officers of the Federal government. From the very first, and at every step in its progress, it has been distinguished by acts of hostility and outrage, alike injurious to the nation and insulting to the people of the loyal States.

The secessionists were profoundly convinced that the co-operation of the border Slave States could not be procured without a conflict of arms between them and the Federal government, and hence have labored assiduously to place the Government in a position that a collision could not be avoided, except by the most abject submission and humiliation. The intention to force a conflict has been most apparent, and delay was suffered only that they might complete their preparations; and when at last their preparations were complete, and wearied by the long forbearance of the Government, they inaugurated hostilities by assaulting and reducing Fort Sumter.

The place where Fort Sumter is situated had been regularly ceded by the State of South Carolina to the Federal government, and by an express provision of the Constitution was under the exclu-

sive jurisdiction of the United States. It was unfinished, and held by a garrison of less than one hundred men, and while in this condition was invested by a large army, cutting off all approach to it by sea or land. The stock of provisions was almost exhausted, and the immediate prospect was presented to the feeble garrison of starvation, or yielding up into the hands of an avowed enemy a fortress of the United States. At this juncture, the Federal government, which had waited long, perhaps too long, declared its determination to send provisions to the garrison. Before this attempt could be made, and before a single sail of the fleet was seen off the harbor, a powerful cannonade was opened upon Sumter, which resulted in its destruction and surrender.

Every day brings us intelligence of new outrage and assault. Throughout the rebellious States is heard the note of preparation for an extensive and aggressive campaign. The national capital is menaced, and every avenue of approach for Federal troops and provisions is attempted to be cut off. The free navigation of the Mississippi river, the great artery of commerce of the North-west, is obstructed; and the usurping government of the rebellious States has issued a proclamation inviting the freebooters of all the world to prey upon our national commerce.

We have passed from the field of argument to the solemn fact of war, which exists by the act of

the seceding States. The issue is forced upon us, and must be accepted. Every man must take his position upon the one side or upon the other. In time of war there is no ground upon which a third party can stand. It is the imperative duty of all men to rally to the support of the Government, and to expend in its behalf, if need be, their fortunes and their blood. Upon the preservation of this Government depends our prosperity and greatness as a nation; our liberty and happiness as individuals. We should approach the contest not as politicians, nor as ambitious partizans, but as patriots, who cast aside every selfish consideration when danger threatens their country. The voice of party should be hushed, and the bitterness that may have sprung out of political contests be at once forgiven and forgotten. Let us rise above these paltry considerations, and inaugurate the era when there shall be but one party and that for our country. The struggle is one into which we enter with the deepest reluctance. We are bound to the people of the seceding States by the dearest ties of blood and institutions. They are our brothers and our fellow countrymen. But if they regard not these tender relations, how can we? If they wage war upon us and put themselves in the attitude of public enemies, they must assume all the responsibilities incident to that position. But while I deplore deeply the character of the contest in which

we are engaged, nevertheless we should meet it as men.

To our sister State of Kentucky we turn with hope and affection. She has grown rich and prosperous in the Republic ; could she do more if she were out of it? It would be a sad day that would sever the bond which binds these States together, and places us in separate and hostile nations. I appeal to her by the ties of our common kindred and history ; by our community of interest, by the sacred obligations that bind us to maintain the Constitution inviolate, to adhere to the Union, and stand fast by that flag in defense of which she has so often shed her best blood. I pray her to examine her past history and perceive how the tide of her prosperity has flowed on unbroken, and ever increasing, until her limits are filled with material wealth and her people are respected, elevated, and happy ; and then inquire if all this is not the result of that Union she is called upon to break, and of that government she is invited to dishonor and overthrow. To ask Kentucky to secede, is to ask her to commit foul dishonor and suicide. I trust that the good sense and patriotism of her people will not suffer her to be dragged by the current of events, which has been cunningly invented for that purpose, into the vortex of disunion ; nor permit her to be artfully inveigled into an armed neutrality between the rebellious States and the Federal government. Such a position would be anomalous

and fatal to the peace and perpetuity of the Union. There is no ground in the Constitution midway between a rebellious State and the Federal government upon which she can stand, holding both in check and restraining the Government from the enforcement of the laws and the exercise of its constituted authority. Such an attitude is at once unconstitutional and hostile. At a time like this, if she is not for the Government, aiding and maintaining it by the observance of all her constitutional obligations, she is against it. If the voice of her people can be heard, I fear not the result. Secession can only triumph, as it has triumphed in other States, by stifling the voice of the people and by the bold usurpation, by demagogues and traitors, of the powers which rightfully belong to them alone. And I might here remark, it is quite manifest that the schemes of the authors and managers of the rebellion, extend far beyond the dissolution of the Union, and embrace the destruction of the democratic principle of government, and the substitution of an aristocracy in its stead. In the seceding States the control of public affairs has been withdrawn substantially from the people, and every proposition to submit to their consideration measures of the most vital importance has been contemptuously overruled; and we are in truth called upon to fight not only for the Union, but for the principle upon which our State and National governments are founded.

If the rebellious States hope to profit by dissensions in the North, they have erred egregiously, and have wholly failed to comprehend our people. Our divisions were merely political, and not fundamental; and party lines faded instantly from sight when the intelligence went abroad that war was being waged against the nation. When the sound of the first gun reverberated through the land, the people of the North arose as one man, and declared that the Government must be sustained and the honor of our Flag preserved inviolate at whatever cost. The events of the last ten days are pregnant with instruction and moral grandeur. They present the action of a people who have suffered much and waited long; who were slow to take offense and incredulous of treason and danger; but who, when the dread appeal to arms was made and the issue could no longer be avoided with honor or safety, promptly abandoned the peaceful pursuits of life and devoted themselves to the service of their country. I trust that the force of this lesson may not be lost upon our erring brethren of the South, and that they will at once perceive they have inaugurated a contest from which they can not emerge with honor and profit.

On the 15th day of the present month the President of the United States issued his proclamation calling upon the loyal States to furnish 75,000 men for the protection of the Government, the suppression of rebellion and the enforcement of the laws.

Subsequently the quota to be furnished by Indiana was fixed at six regiments, of seven hundred and seventy men each. In obedience to this call I issued my proclamation calling for volunteers, and in less than eight days more than 12,000 men have tendered their services, and the contest among the companies has been earnest and exciting as to which shall secure a place within the quota. This response has been most gratifying and extraordinary, and furnishes indubitable evidence of the patriotism of Indiana, and her entire devotion to the Union. Without distinction of party, condition, or occupation, men have rallied around the national standard, and in every part of the State may be heard the sound of martial music and witnessed the mustering of companies into the field. In view of this remarkable response made to the proclamation on the 20th inst., I tendered to the President for the service of the United States six additional regiments; but telegraphic and postal communication having been cut off with Washington, no answer has been received up to this time. A camp was formed in the neighborhood of this city for the reception of the troops, and Major Wood, of the U. S. army, has been busily engaged for several days in mustering them into the service. There are in camp — companies, being an excess of the number called for by the President, and in addition to that, every company largely exceeds, and in some instances more than doubles the number that can be finally



received into the company. Some companies came by mistakes unavoidably occurring in the office of the adjutant general, and others without marching orders. They will be retained in camp, and provided with quarters and subsistence, awaiting the action of the Legislature. I can not refrain from here expressing the opinion that has been uttered by many who have visited the camp, that finer material for a gallant army was never assembled.

The report of the adjutant general, Lewis Wallace, is herewith transmitted, and I beg leave in this manner to tender him my hearty thanks for his able and efficient services in that department.

In view of all the facts, it becomes the imperative duty of Indiana to make suitable preparations for the contest by providing ample supplies of men and money to ensure the protection of the State and General government in the prosecution of the war to a speedy and successful termination. I therefore recommend that one million of dollars be appropriated for the purchase of arms and munitions of war, and for the organization of such portion of the militia as may be deemed necessary for the emergency. That a militia system be devised and enacted looking chiefly to volunteers, which shall insure the greatest protection to the State, and unity and efficiency of the force to be employed. That a law be enacted suspending the collection of debts against those who may be actually employed in the military service of the State or the United

States. That suitable provision be made by the issue of the bonds of the State or otherwise for raising the money herein recommended to be appropriated. And that all necessary and proper legislation be had to protect the business, property, and citizens of the State, under the circumstances in which they are placed.

O. P. MORTON, *Governor*.

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[As the subjoined message of President Jackson, relative to the nullification movement in South Carolina in 1832, was adopted by Governor Morton, as an expression of his views of the relations subsisting between the States and the General government, and was, in fact, made a part of the foregoing message, we insert it, feeling that as an argument against peaceable separation or a compromise with rebels in arms it will never lose its weight.—ED.]

*Proclamation of Andrew Jackson, President of the United States :*

WHEREAS, A convention assembled in the State of South Carolina have passed an ordinance, by which they declare "That the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importation of foreign commodities, and now having actual operation and

effect within the United States, and more especially," two acts for the same purposes passed on the 29th of May, 1828, and on the 14th of July, 1832, "are unauthorized by the Constitution of the United States, and violate the true meaning and intent thereof, and are null and void, and no law," nor binding on the citizens of that State or its officers: and by the said ordinance, it is further declared to be unlawful for any of the constituted authorities of the State or of the United States to enforce the payment of the duties imposed by the said acts within the same State, and that it is the duty of the Legislature to pass such laws as may be necessary to give full effect to the said ordinance:

AND WHEREAS, By the said ordinance, it is further ordained that in no case of law or equity decided in the courts of said State, wherein shall be drawn in question the validity of the said ordinance, or of the acts of the Legislature that may be passed to give it effect, or of the said laws of the United States, no appeal shall be allowed to the Supreme Court of the United States, nor shall any copy of the record be permitted or allowed for that purpose; and that any person attempting to take such appeal shall be punished as for a contempt of court:

And, finally, the said ordinance declares that the people of South Carolina will maintain the said ordinance at every hazard; and that they will consider the passage of any act, by Congress, abolishing or closing the ports of the said State, or other

wise obstructing the free ingress or egress of vessels to and from the said ports, or any other act of the Federal government to coerce the State, shut up her ports, destroy or harass her commerce, or to enforce the said act otherwise than through the civil tribunals of the country, as inconsistent with the longer continuance of South Carolina in the Union, and that the people of the said State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connection with the people of the other States, and will forthwith proceed to organize a separate government, and do all other acts and things which sovereign and independent States may of right do.

AND WHEREAS, the said ordinance prescribes to the people of South Carolina a course of conduct in direct violation of their duty as citizens of the United States, contrary to the laws of their country, subversive of its Constitution, and having for its object the destruction of the Union,—that Union, which, coeval with our political existence, led our fathers, without any other ties to unite them than those of patriotism and a common cause, through a sanguinary struggle to a glorious independence,—that sacred Union, hitherto inviolate, which, perfected by our happy Constitution, has brought us, by the favor of Heaven, to a state of prosperity at home, and high consideration abroad, rarely, if ever, equalled in the history of nations. To preserve this bond of our political existence from des-

truction, to maintain inviolate this state of national honor and prosperity, and to justify the confidence my fellow citizens have reposed in me, I ANDREW JACKSON, *President of the United States*, have thought proper to issue this, my PROCLAMATION, stating my views of the Constitution and laws applicable to the measures adopted by the Convention of South Carolina, and to the reasons they have put forth to sustain them, declaring the course which duty will require me to pursue, and, appealing to the understanding and patriotism of the people, warn them of the consequences that must inevitably result from an observance of the dictates of the convention.

Strict duty would require of me nothing more than the exercise of those powers with which I am now, or may hereafter be invested, for preserving the peace of the Union, and for the execution of the laws. But the imposing aspect which opposition has assumed in this case, by clothing itself with State authority, and the deep interest which the people of the United States must all feel in preventing a resort to stronger measures, while there is a hope that anything will be yielded to reasoning and remonstrance, perhaps demand, and will certainly justify, a full exposition to South Carolina and the nation of the views I entertain of this important question, as well as a distinct enunciation of the course which my sense of duty will require me to pursue.

The ordinance is founded, not on the indefeasible

right of resisting acts which are plainly unconstitutional, and too oppressive to be endured; but on the strange position that any one State may not only declare an act of Congress void, but prohibit its execution,—that they may do this consistently with the Constitution,—that the true construction of that instrument permits a State to retain its place in the Union, and yet be bound by no other of its laws than those it may choose to consider as constitutional. It is true, they add, that to justify this abrogation of a law, it must be palpably contrary to the Constitution; but it is evident, that, to give the right of resisting laws of that description, coupled with the uncontrolled right to decide what laws deserve that character, is to give the power of resisting all laws. For, as by the theory, there is no appeal, the reasons alleged by the State, good or bad, must prevail. If it should be said that public opinion is a sufficient check against the abuse of this power, it may be asked why it is not deemed a sufficient guard against the passage of an unconstitutional act by Congress? There is, however, a restraint in this last case, which makes the assumed power of a State more indefensible, and which does not exist in the other. There are two appeals from an unconstitutional act passed by Congress,—one to the judiciary, the other to the people and the States. There is no appeal from the State decision in theory, and the practical illustration shows that the courts are closed against an application to review

it, both judges and jurors being sworn to decide in its favor. But reasoning on this subject is superfluous, when our social compact, in express terms, declares that the laws of the United States, its Constitution, and treaties made under it, are the supreme law of the land; and, for the greater caution, adds "that the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding." And it may be asserted without fear of refutation, that no Federal government could exist without a similar provision. Look for a moment to the consequence. If South Carolina considers the revenue laws unconstitutional, and has a right to prevent their execution in the port of Charleston, there would be a clear constitutional objection to their collection in every other port, and no revenue could be collected anywhere; for all imposts must be equal. It is no answer to repeat, that an unconstitutional law is no law, so long as the question of its legality is to be decided by the State itself; for every law operating injuriously upon any local interest will be perhaps thought, and certainly represented, as unconstitutional, and, as has been shown, there is no appeal.

If this doctrine had been established at an earlier day, the Union would have been dissolved in its infancy. The excise law in Pennsylvania, the embargo and non-intercourse law in the eastern States, the carriage tax in Virginia, were all deemed unconstitutional, and were more equal in their ope-

ration than any of the laws now complained of; but fortunately none of those States discovered that they had the right now claimed by South Carolina. The war into which we were forced to support the dignity of the nation and the rights of our citizens, might have ended in defeat and disgrace instead of victory and honor, if the States who supposed it a ruinous and unconstitutional measure, had thought they possessed the right of nullifying the act by which it was declared, and denying supplies for its prosecution. Hardly and unequally as those measures bore upon several members of the Union, to the legislatures of none did this efficient and peaceable remedy, as it is called, suggest itself. The discovery of this important feature in our Constitution was reserved to the present day. To the statesmen of South Carolina belongs the invention, and upon the citizens of that State will unfortunately fall the evils of reducing it to practice.

If the doctrine of a State veto upon the laws of the Union carries with it internal evidence of its impracticable absurdity, our Constitutional history will also afford abundant proof that it would have been repudiated with indignation, had it been proposed to form a feature in our Government.

In our colonial state, although dependent on another power, we very early considered ourselves as connected by common interest with each other. Leagues were formed for common defence, and, before the Declaration of Independence, we were



known in our aggregate character as *the United Colonies of America*. That decisive and important step was taken jointly. We declared ourselves a nation by a joint, not by several acts, and when the terms of our Confederation were reduced to form, it was in that of a solemn league of several States, by which they agreed that they would collectively form one nation for the purpose of conducting some certain domestic concerns and all foreign relations. In the instrument forming that Union is found an article which declares that "every State shall abide by the determination of Congress on all questions which, by that Confederation, should be submitted to them."

Under the Confederation, then, no State could legally annul a decision of the Congress, or refuse to submit to its execution; but no provision was made to enforce these decisions. Congress made requisitions, but they were not complied with. The Government could not operate on individuals. They had no judiciary, no means of collecting revenue.

But the defects of the Confederation need not be detailed. Under its operation we could scarcely be called a nation. We had neither prosperity at home nor consideration abroad. This state of things could not be endured, and our present happy Constitution was formed, but formed in vain, if this fatal doctrine prevails. It was formed for important objects that are announced in the preamble

made in the name and by the authority of the people of the United States, whose delegates framed, and whose conventions approved it. The most important among these objects, that which is placed first in rank, on which all others rest, is, “*to form a more perfect Union.*” Now, is it possible that even if there were no express provision giving supremacy to the Constitution and laws of the United States over those of the States,—can it be conceived, that an instrument made for the purpose of “*forming a more perfect Union*” than that of the Confederation, could be so constructed by the assembled wisdom of our country as to substitute for that Confederation a form of government dependent for its existence on the local interest, the party spirit of a State, or of a prevailing faction in a State? Every man of plain, unsophisticated understanding, who hears the question, will give such an answer as will preserve the Union. Metaphysical subtlety, in pursuit of an impracticable theory, could alone have devised one that is calculated to destroy it.

I consider, then, the power to annul a law of the United States, assumed by one State, *incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed.*

After this general view of the leading principle,

we must examine the particular application of it which is made in the ordinance.

The preamble rests its justification on these grounds: It assumes, as a fact, that the obnoxious laws, although they purport to be laws for raising revenue, were in reality intended for the protection of manufacturers, which purpose it asserts to be unconstitutional; that the operation of these laws is unequal; that the amount raised by them is greater than is required by the wants of the Government; and, finally, that the proceeds are to be applied to objects unauthorized by the Constitution. These are the only causes alleged to justify an open opposition to the laws of the country, and a threat of seceding from the Union, if any attempt should be made to enforce them. The first virtually acknowledges that the law in question was passed under a power expressly given by the Constitution to lay and collect imposts; but its constitutionality is drawn in question from the *motives* of those who passed it. However apparent this purpose may be in the present case, nothing can be more dangerous than to admit the position that an unconstitutional purpose, entertained by the members who assent to a law enacted under a constitutional power, shall make the law void: for how is that purpose to be ascertained? Who is to make the scrutiny? How often may bad purposes be falsely imputed,—in how many cases are they concealed by false professions,—in how many is no

declaration of motive made? Admit this doctrine, and you give to the States an uncontrolled right to decide, and every law may be annulled under this pretext. If, therefore, the absurd and dangerous doctrine should be admitted, that a State may annul an unconstitutional law, or one that it deems such, it will not apply to the present case.

The next objection is, that the laws in question operate unequally. This objection may be made with truth to every law that has been or can be passed. The wisdom of man never yet contrived a system of taxation that would operate with perfect equality. If the unequal operation of a law makes it unconstitutional, and if all laws of that description may be abrogated by any State for that cause, then indeed is the Federal Constitution unworthy of the slightest effort for its preservation. We have hitherto relied on it as the perpetual bond of our Union. We have received it as the work of the assembled wisdom of the nation. We have trusted to it as to the sheet anchor of our safety in the stormy times of conflict with a foreign or domestic foe. We have looked to it with sacred awe as the palladium of our liberties, and with all the solemnities of religion have pledged to each other our lives and fortunes here, and our hopes of happiness hereafter, in its defence and support. Were we mistaken, my countrymen, in attaching this importance to the Constitution of our country? Was our devotion paid to the wretched, inefficient, clumsy, con-

trivance which this new doctrine would make it? Did we pledge ourselves to the support of an airy nothing,—a bubble that must be blown away by the first breath of disaffection? Was this self-destroying, visionary theory, the work of the profound statesmen, the exalted patriots, to whom the task of constitutional reform was entrusted? Did the name of Washington sanction, did the States deliberately ratify such an anomaly in the history of fundamental legislation? No. We were not mistaken. The letter of this great instrument is free from this radical fault; its language directly contradicts the imputation; its spirit,—its evident intent, contradicts it. No, we did not err! Our Constitution does not contain the absurdity of giving power to make laws, and another power to resist them. The sages whose memory will always be revered, have given us a practical, and, as they hoped, a permanent constitutional compact. The Father of his Country did not affix his revered name to so palpable an absurdity. Nor did the States, when they severally ratified it, do so under the impression that a veto on the laws of the United States was reserved to them, or that they could exercise it by implication. Search the debates in all their conventions, examine the speeches of the most zealous opposers of federal authority, look at the amendments that were proposed,—they are all silent,—not a syllable uttered, not a vote given, not a motion made, to correct the explicit supremacy given to the laws of the

Union over those of the States, or to show that implication, as is now contended, could defeat it. No, we have not erred! The Constitution is still the object of our reverence, the bond of our Union, our defense in danger, the source of our prosperity in peace; it shall descend as we have received it, uncorrupted by sophistical construction, to our posterity, and the sacrifices of local interest, of State prejudices, of personal animosities, that were made to bring it into existence, will again be patriotically offered for its support.

The two remaining objections made by the ordinance to these laws, are that the sums intended to be raised by them are greater than are required, and that the proceeds will be unconstitutionally employed.

The Constitution has given, expressly, to Congress the right of raising revenue, and of determining the sum the public exigencies will require. The States have no control over the exercise of this right other than that which results from the power of changing the representatives who abuse it, and thus procure redress. Congress may, undoubtedly, abuse this discretionary power; but the same may be said of others with which they are vested. Yet the discretion must exist somewhere. The Constitution has given it to the representatives of all the people, checked by the representatives of the States and by the executive power. The South Carolina construction gives it to the legislature or

the convention of a single State, where neither the people of the different States, nor the States in their separate capacity, nor the chief magistrate elected by the people, have any representation. Which is the most discreet disposition of the power? I do not ask you, fellow-citizens, which is the constitutional disposition—that instrument speaks a language not to be misunderstood. But if you were assembled in general convention, which would you think the safest depository of this discretionary power in the last resort? Would you add a clause giving it to each of the States, or would you sanction the wise provisions already made by your Constitution? If this should be the result of your deliberations when providing for the future, are you, can you be ready to risk all that we hold dear to establish, for a temporary and a local purpose, that which you must acknowledge to be destructive, and even absurd, as a general provision? Carry out the consequences of this right vested in the different States, and you must perceive that the crisis your conduct presents at this day would recur whenever any law of the United States displeased any of the States, and that we should soon cease to be a nation.

The ordinance, with the same knowledge of the future that characterizes a former objection, tells you that the proceeds of the tax will be unconstitutionally applied. If this could be ascertained with certainty, the objection would, with more pro-

priety, be reserved for the law so applying the proceeds, but surely can not be urged against the laws levying the duty.

These are the allegations contained in the ordinance. Examine them seriously, my fellow-citizens; judge for yourselves. I appeal to you to determine whether they are so clear, so convincing, as to leave no doubt of their correctness; and even if you should come to this conclusion, how far they justify the reckless, destructive course which you are directed to pursue. Review these objections, and the conclusions drawn from them, once more. What are they? Every law, then, for raising revenue, according to the South Carolina ordinance, may be rightfully annulled, unless it be so framed as no law ever will or can be framed. Congress have a right to pass laws for raising a revenue, and each State has a right to oppose their execution—two rights directly opposed to each other; and yet is this absurdity supposed to be contained in an instrument drawn for the express purpose of avoiding collisions between the States and the General government, by an assembly of the most enlightened statesmen and purest patriots ever embodied for a similar purpose.

In vain have these sages declared that Congress shall have power to lay and collect taxes, duties, imposts, and excises; in vain have they provided that they shall have power to pass laws which shall be necessary and proper to carry those powers into



execution; that those laws and that Constitution shall be the "supreme law of the land, and that the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding." In vain have the people of the several States solemnly sanctioned these provisions, made them their paramount law, and individually sworn to support them whenever they were called on to execute any office. Vain provision! ineffectual restrictions! vile profanation of oaths! miserable mockery of legislation! if the bare majority of the voters in any one State may, on a real or supposed knowledge of the intent with which a law has been passed, declare themselves free from its operation—say here it gives too little, there too much, and operates unequally—here it suffers articles to be free that ought to be taxed—there it taxes those that ought to be free—in this case the proceeds are intended to be applied to purposes which we do not approve—in that the amount raised is more than is wanted. Congress, it is true, are invested by the Constitution with the right of deciding these questions according to their sound discretion; Congress is composed of the representatives of all the States, and of all the people of all the States; but we, part of the people of one State, to whom the Constitution has given no power on the subject, from whom it has expressly taken it away—we, who have solemnly agreed that this Constitution shall be our law—we, most of whom

have sworn to support it—we now abrogate this law, and swear and force others to swear that it shall not be obeyed; and we do this, not because Congress have no right to pass such laws—this we do not allege—but because they have passed them with improper views. They are unconstitutional from the motives of those who passed them, which we can never with certainty know; from their unequal operation, although it is impossible, from the nature of things, that they should be equal; and from the disposition which we presume may be made of their proceeds, although that disposition has not been declared. This is the plain meaning of the ordinance, in relation to laws which it abrogates for alleged unconstitutionality. But it does not stop there. It repeals, in express terms, an important part of the Constitution itself, and of laws passed to give it effect, which have never been alleged to be unconstitutional. The Constitution declares that the judicial powers of the United States extend to cases arising under the laws of the United States; and that such laws, the Constitution and treaties, shall be paramount to the State Constitutions and laws. The judiciary act prescribes the mode by which the case may be brought before a court of the United States by appeal, when a State tribunal shall decide against this provision of the Constitution. The ordinance declares that there shall be no appeal, makes the State law paramount to the Constitution and laws of the United States,

forces judges and jurors to swear that they will disregard their provisions, and even makes it penal in a suit to attempt relief by appeal. It further declares that it shall not be lawful for the authorities of the United States, or of that State, to enforce the payment of duties imposed by the revenue laws within its limits.

Here is a law of the United States, not even pretended to be unconstitutional, repealed by the authority of a small majority of the voters of a single State. Here is a provision of the Constitution, which is solemnly abrogated by the same authority.

On such expositions and reasonings, the ordinance grounds not only an assertion of the right to annul the laws, of which it complains, but to enforce it by a threat of seceding from the Union, if any attempt is made to execute them.

This right to secede is deduced from the nature of the Constitution, which they say is a compact between sovereign States, who have preserved their whole sovereignty, and therefore are subject to no superior; that because they made the compact, they can break it, when, in their opinion, it has been departed from by the other States. Fallacious as this course of reasoning is, it enlists State pride, and finds advocates in the honest prejudices of those who have not studied the nature of our government sufficiently to see the radical error on which it rests.

The people of the United States formed the Con-

stitution, acting through the State Legislatures in making the compact, to meet and discuss its provisions, and acting in separate conventions when they ratified those provisions; but the terms used in its construction show it to be a government in which the people of all the States collectively are represented. We are *one people* in the choice of President and Vice President. Here the States have no other agency than to direct the mode in which the votes shall be given. The candidates having a majority of all the votes are chosen. The electors of a majority of States may have given their votes for one candidate, and yet another may be chosen. The people, then, and not the States, are represented in the executive branch.

In the House of Representatives there is this difference, that the people of one State do not, as in the case of President and Vice President, all vote for the same officers. The people of all the States do not vote for all the members, each State electing only its own representatives. But this creates no national distinction. When chosen, they are all representatives of the United States, not representatives of the particular State from whence they come. They are paid by the United States, not by the State; nor are they accountable to it for any act done in the performance of their legislative functions; and however they may in practice, as it is their duty to do, consult and prefer the interests of their particular constituents, when they come in conflict with

any other partial or local interest, yet it is the first and highest duty, as a representative of the United States, to promote the general good.

The Constitution of the United States, then, forms a *government*, not a league; and whether it be formed by compact between the States, or in any other manner, its character is the same. It is a government in which all the people are represented, which operates directly on the people individually, not upon the States; they retained all the power they did not grant. But each State having expressly parted with so many powers, as to constitute jointly with the other States a single nation, can not from that period possess any right to secede, because such secession does not break a league, but destroys the unity of a nation; and any injury to that unity is not only a breach, which would result from the contravention of a compact, but it is an offense against the whole Union. To say that any State may at pleasure secede from the Union, is to say that the United States are not a nation; because it would be a solecism to contend, that any part of a nation might dissolve its connection with the other parts, to their injury or ruin, without committing any offense. Secession, like any other revolutionary act, may be morally justified by the extremity of oppression; but to call it a constitutional right, is confounding the meaning of terms; and can only be done through gross error, or to deceive those who are willing to assert a right, but would pause

before they made a revolution, or incur the penalties consequent on a failure.

Because the Union was formed by compact, it is said the parties to that compact may, when they feel themselves aggrieved, depart from it; but it is precisely because it is a compact, that they can not. A compact is an agreement, or binding obligation. It may, by its terms, have a sanction or penalty for its breach, or it may not. If it contains no sanction, it may be broken with no other consequence than moral guilt; if it have a sanction, then the breach incurs the designated or implied penalty. A league between independent nations generally has no sanction, other than a moral one; or, if it should contain a penalty, as there is no common superior, it can not be enforced.\* A government, on the contrary, always has a sanction, express or implied; and in our case, it is both necessarily implied, and expressly given. An attempt by force of arms to destroy a government, is an offense, by whatever means the constitutional compact may have been formed; and such government has the right, by the law of self defense, to pass acts for punishing the offender, unless that right is modified, restrained or resumed by the constitutional act. In our system, although it is modified in the case of treason, yet authority is expressly given to pass all laws necessary to carry its powers into effect, and under this grant provision has been made for pun-

ishing acts, which obstruct the due administration of the laws.

It would seem superfluous to add anything to show the nature of that Union, which connects us; but as erroneous opinions on this subject are the foundation of doctrines the most destructive to our peace, I must give some further development to my views on this subject. No one, fellow-citizens, has a higher reverence for the reserved rights of the States, than the magistrate who now addresses you. No one would make greater personal sacrifices or official exertion to defend them from violation; but equal care must be taken to prevent, on their part, an improper interference, with, or resumption of the rights they have vested in the nation. The line has not been so distinctly drawn, as to avoid doubts, in some cases of the exercise of power. Men of the best intentions and soundest views may differ in their construction of some parts of the Constitution; but there are others, on which dispassionate reflection can leave no doubt. Of this nature appears to be the assumed right of secession. It rests, as we have seen, on the alleged undivided sovereignty of the States, and on their having formed, in this sovereign capacity, a compact, which is called the Constitution, from which, because they made it, they have the right to secede. Both of these positions are erroneous, and some of the arguments to prove them so have been anticipated.

The States severally have not retained their entire

sovereignty. It has been shown, that, in becoming parts of a nation, not members of a league, they surrendered many of their essential parts of sovereignty. The right to make treaties, declare war, levy taxes, exercise exclusive judicial and legislative powers, were all of them functions of sovereign power. The States, then, for all these purposes, were no longer sovereign. The allegiance of their citizens was transferred, in the first instance, to the government of the United States; they became American citizens, and owed obedience to the Constitution of the United States, and to laws made in conformity with the powers it vested in Congress. This last position has not been, and can not be denied. How, then, can that State be said to be sovereign and independent whose citizens owe obedience to laws not made by it, and whose magistrates are sworn to disregard those laws when they come in conflict with those passed by another? What shows conclusively that the States can not be said to have reserved an undivided sovereignty, is, that they expressly ceded the right to punish treason, not treason against their separate power, but treason against the United States. Treason is an offense against *sovereignty*, and sovereignty must reside with the power to punish it. But the reserved rights of the States are not less sacred because they have, for their common interest, made the General government the depository of these powers.

The unity of our political character (as has been



shown for another purpose) commenced with its very existence. Under the royal government we had no separate character: our opposition to its oppressions began as *united colonies*. We were the *United States* under the Confederation, and the name was perpetuated, and the Union rendered more perfect by the Federal Constitution. In none of these stages did we consider ourselves in any other light than as forming one nation. Treaties and alliances were made in the name of all. Troops were raised for the joint defence. How, then, with all these proofs, that under all changes of our position we had, for designated purposes and with defined powers, created national governments; how is it, that the most perfect of those several modes of union should now be considered as a mere league, that may be dissolved at pleasure? It is from an abuse of terms. "Compact" is used as synonymous with "league," although the true term is not employed, because it would at once show the fallacy of the reasoning. It would not do to say that our Constitution was only a league; but it is labored to prove it a compact (which in one sense it is), and then to argue that, as a league is a compact, every compact between nations must of course be a league, and that from such an engagement every sovereign power has a right to recede. But it has been shown, that in this sense the States are not sovereign, and that even if they were, and the national Constitution had been formed by compact, there would be no right in

any one State to exonerate itself from its obligations.

So obvious are the reasons which forbid this secession, that it is necessary only to allude to them. The Union was formed for the benefit of all. It was produced by mutual sacrifices of interests and opinions. Can those sacrifices be recalled? Can the States, who magnanimously surrendered their title to the territories of the West, recall the grant? Will the inhabitants of the inland States agree to pay the duties, that may be imposed without their assent, by those on the Atlantic or the Gulf, for their own benefit? Shall there be a free port in one State, and onerous duties in another? No one believes that any right exists, in a single State, to involve the others in these and countless other evils, contrary to the engagements solemnly made. Every one must see that the other States, in self-defence, must oppose it at all hazards.

These are the alternatives that are presented by the convention: A repeal of all the acts for raising revenue, leaving the Government without the means of support, or an acquiescence in the dissolution of our Union by the secession of one of its members. When the first was proposed, it was known that it could not be listened to for a moment. It was known, if force was applied to oppose the execution of the laws, that it must be repelled by force; that Congress could not, without involving itself in disgrace, and the country in ruin, accede to the pro-

position; and yet, if this is not done on a given day, or if any attempt is made to execute the laws, the State is, by the ordinance, declared to be out of the Union. The majority of a convention assembled for the purpose have dictated these terms, or rather this rejection of all terms, in the name of the people of South Carolina. It is true that the Governor of the State speaks of the submission of their grievances to a convention of all the States, which, he says, they "sincerely and anxiously seek and desire." Yet this obvious and constitutional mode of obtaining the sense of the other States, on the construction of the Federal compact, and amending it if necessary, has never been attempted by those who have urged the State on to this destructive measure. The State might have proposed the call for a general convention to the other States; and Congress, if a sufficient number of them concurred, must have called it. But the first magistrate of South Carolina, when he expressed a hope that, "on a review by Congress and the functionaries of the General government of the merits of the controversy," such a convention will be accorded to them, must have known that neither Congress, nor any functionary of the General government, has authority to call such a convention, unless it be demanded by two-thirds of the States. This suggestion, then, is another instance of the reckless inattention to the provisions of the Constitution, with which this crisis has been madly hurried on; or of the attempt to

persuade the people that a constitutional remedy had been sought and refused. If the Legislature of South Carolina "anxiously desire" a general convention to consider their complaints, why have they not made application for it, in the way the Constitution points out? The assertion that they "earnestly seek" it, is completely negatived by the omission.

This, then, is the position in which we stand. A small majority of the citizens of one State in the Union have elected delegates to a State convention; that convention has ordained that all the revenue laws of the United States must be repealed, or that they are no longer a member of this Union. The Governor of that State has recommended to the Legislature the raising of an army to carry the secession into effect, and that he may be empowered to give clearances to vessels in the name of the State. No act of violent opposition to the laws has yet been committed, but such a state of things is hourly apprehended; and it is the intent of this instrument to proclaim, not only that the duty imposed on me by the Constitution "to take care that the laws be faithfully executed," shall be performed to the extent of the powers already vested in me by law, or of such others as the wisdom of Congress shall devise and entrust to me for that purpose, but to warn the citizens of South Carolina who have been deluded into an opposition to the laws, of the danger they will incur by obedience to

the illegal and disorganizing ordinance of the convention; to exhort those who have refused to support it to persevere in their determination to uphold the Constitution and laws of their country; and to point out to all the perilous situation into which the good people of that State have been led, and that the course they are urged to pursue is one of ruin and disgrace to the very State whose rights they affect to support.

Fellow citizens of my native State, let me not only admonish you, as the First Magistrate of our common country, not to incur the penalty of its laws, but use the influence that a father would over his children whom he saw rushing to certain ruin. In that paternal language, with that paternal feeling, let me tell you, my countrymen, that you are deluded by men who are either deceived themselves, or wish to deceive you. Mark under what pretences you have been led on to the brink of insurrection and treason, on which you stand! First, a diminution of the value of your staple commodity, lowered by over-production in other quarters, and the consequent diminution in the value of your lands, were the sole effect of the tariff laws.

The effect of those laws was confessedly injurious, but the evil was greatly exaggerated by the unfounded theory you were taught to believe, that its burthens were in proportion to your exports, not to your consumption of imported articles. Your pride was roused by the assertion that a submission to

those laws was a state of vassalage, and that resistance to them was equal, in patriotic merit, to the opposition our fathers offered to the oppressive laws of Great Britain. You were told that this opposition might be peaceably—might be constitutionally made; that you might enjoy all the advantages of the Union, and bear none of its burthens. Eloquent appeals to your passions, to your State pride, to your native courage, to your sense of real injury, were used, to prepare you for the period when the mask, which concealed the hideous features of disunion, should be taken off. It fell, and you were made to look with complacency on objects which, not long since, you would have regarded with horror. Look back to the arts which have brought you to this state—look forward to the consequences to which it must inevitably lead! Look back to what was first told you as an inducement to enter into this dangerous course. The great political truth was repeated to you, that you had the revolutionary right of resisting all laws that were palpably unconstitutional and intolerably oppressive; it was added that the right to nullify a law rested on the same principle, but that it was a peaceable remedy! This character which was given to it, made you receive, with too much confidence, the assertions that were made of the unconstitutionality of the law and its oppressive effects. Mark, my fellow citizens, that, by the admission of your leaders, the unconstitutionality must be *palpable*, or it will not justify either resist-

ance or nullification! What is the meaning of the word *palpable*, in the sense in which it is here used? that which is apparent to every one; that which no man of ordinary intellect will fail to perceive. Is the unconstitutionality of these laws of that description? Let those among your leaders who once approved and advocated the principle of protective duties, answer the question; and let them choose whether they will be considered as incapable, then, of perceiving that which must have been apparent to every man of common understanding, or as imposing upon your confidence, and endeavoring to mislead you now. In either case, they are unsafe guides in the perilous path they urge you to tread. Ponder well on this circumstance, and you will know how to appreciate the exaggerated language they address to you. They are not champions of liberty emulating the fame of our revolutionary fathers; nor are you an oppressed people, contending, as they repeat to you, against worse than colonial vassalage.

You are free members of a flourishing and happy Union. There is no settled design to oppress you. You have indeed felt the unequal operation of laws which may have been unwisely, not unconstitutionally passed; but that inequality must necessarily be removed. At the very moment when you were madly urged on to the unfortunate course you have begun, a change in public opinion had commenced. The nearly approaching payment of the public debt,

and the consequent necessity of a diminution of duties, had already produced a considerable reduction, and that, too, on some articles of general consumption in our State. The importance of this change was underrated, and you are authoritatively told that no further alleviation of your burthens were to be expected at the very time when the condition of the country imperiously demanded such a modification of the duties as should reduce them to a just and equitable scale. But, as if apprehensive of the effect of this change in allaying your discontents, you were precipitated into the fearful state in which you now find yourselves.

I have urged you to look back to the means that were used to hurry you on to the position you have now assumed, and forward to the consequences it will produce. Something more is necessary. Contemplate the condition of that country of which you still form an important part. Consider its Government, uniting in one bond of common interest and general protection so many different States,—giving to all their inhabitants the proud title of American citizens, protecting their commerce, securing their literature and their arts; facilitating their intercommunication; defending their frontiers, and making their names respected in the remotest parts of the earth. Consider the extent of its territory; its increasing and happy population; its advance in arts, which render life agreeable; and the sciences, which elevate the mind! See education spreading the lights



of religion, morality and general information into every cottage in this wide extent of our Territories and States! Behold it as the asylum where the wretched and the oppressed find a refuge and support! Look on this picture of happiness and honor, and say: "*We, too, are citizens of America!* Carolina is one of these proud States,—her arms have defended,—her best blood has cemented this happy Union!" And then add, if you can, without horror and remorse, "this happy Union we will dissolve; this picture of peace and prosperity we will deface; this free intercourse we will interrupt; these fertile fields we will deluge with blood; the protection of that glorious flag we renounce; the very name of Americans we discard." And for what, mistaken men,—for what do you throw away these inestimable blessings? for what would you exchange your share in the advantages and honor of the Union? For the dream of separate independence,—a dream interrupted by bloody conflicts with your neighbors, and a vile dependence on a foreign power. If your leaders could succeed in establishing a separation, what would be your situation? Are you united at home,—are you free from the apprehension of civil discord, with all its fearful consequences? Do our neighboring republics, every day suffering some new revolution, or contending with some new insurrection,—do they excite your envy? But the dictates of a high duty obliges me solemnly to announce that you can not succeed. The laws of the

United States must be executed. I have no discretionary power on the subject,—my duty is emphatically pronounced in the Constitution. Those who told you that you might peaceably prevent their execution, deceived you,—they could not have been deceived themselves. They know that a forcible opposition could alone prevent the execution of the laws, and they know that such opposition must be repelled. Their object is disunion; but be not deceived by names; disunion, by armed force, is *treason*. Are you really ready to incur its guilt? If you are, on the heads of the instigators of the act be the dreadful consequences,—on their heads be the dishonor, but on yours may fall the punishment; on your unhappy State will inevitably fall all the evils of the conflict you force upon the Government of your country. It can not accede to the mad project of disunion, of which you would be the first victims,—its First Magistrate can not, if he would, avoid the performance of his duty; the consequences must be fearful for you, distressing to your fellow citizens here, and to the friends of good government throughout the world. Its enemies have beheld our prosperity with a vexation they could not conceal,—it was a standing refutation of their slavish doctrines, and they will point to our discord with the triumph of malignant joy. It is yet in your power to disappoint them. There is yet time to show that the descendants of the Pinckneys, the Sumters, the Rutledges, and of the thousand

other names, which adorn the pages of your revolutionary history, will not abandon that Union, to support which so many of them fought, and bled, and died.

I adjure you, as you honor their memory,—as you love the cause of freedom, to which they dedicated their lives,—as you prize the peace of your country, the lives of its best citizens, and your own fair fame, to retrace your steps. Snatch from the archives of your State, the disorganizing edict of its convention,—bid its members to re-assemble, and promulgate the decided expressions of your will to remain in the path which alone can conduct you to safety, prosperity and honor. Tell them that, compared to disunion, all other evils are light, because that brings with it an accumulation of all. Declare that you will never take the field unless the star spangled banner of your country shall float over you; that you will not be stigmatized when dead, and dishonored and scorned while you live, as the authors of the first attack on the Constitution of your country. Its destroyers you can not be. You may disturb its peace,—you may interrupt the course of its prosperity,—you may cloud its reputation for stability; but its tranquility will be restored, its prosperity will return, and the stain upon its national character will be transferred, and remain an eternal blot on the memory of those who caused the disorder.

Fellow citizens of the United States! The threat

of unhallowed disunion,—the names of those once respected, by whom it is uttered,—the array of military force to support it,—denote the approach of a crisis in our affairs, on which the continuance of our unexampled prosperity, our political existence, and perhaps that of all free governments, may depend. The conjuncture demanded a free, a full, and explicit enunciation, not only of my intentions, but of my principles of action; and as the claim was asserted of a right by a State to annul the laws of the Union, and even to secede from it at pleasure, a frank exposition of my opinions in relation to the origin and form of our government, and the construction I give to the instrument by which it was created, seemed to be proper. Having the fullest confidence in the justness of the legal and constitutional opinion of my duties, which has been expressed, I rely, with equal confidence, on your undivided support in my determination to execute the laws,—to preserve the Union by all constitutional means,—to arrest, if possible, by moderate but firm measures, the necessity of a recourse to force; and, if it be the will of Heaven, that the recurrence of its primeval curse on man for the shedding of a brother's blood should fall upon our land, that it be not called down by any offensive act on the part of the United States.

Fellow citizens! the momentous case is before you. On your undivided support of your Government depends the decision of the great question it

involves, whether your sacred Union will be preserved, and the blessings it secures to us as one people, shall be perpetuated. No one can doubt that the unanimity with which that decision will be expressed, will be such as to inspire new confidence in republican institutions, and that the prudence, the wisdom, and the courage which it will bring to their defence, will transmit them unimpaired and invigorated to our children.

May the Great Ruler of Nations grant that the signal blessings with which He has favored ours, may not, by the madness of party or personal ambition, be disregarded and lost; and may His wise providence bring those who have produced this crisis to see their folly, before they feel the misery of civil strife, and inspire a returning veneration for that Union, which, if we may dare to penetrate His designs, He has chosen as the only means of attaining the high destinies to which we may reasonably aspire.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this 10th day of December, in the year of our Lord one thousand eight hundred and thirty-two, and of the independence of the United States the fifty-seventh.

By the President:

ANDREW JACKSON.

EDWD. LIVINGSTON, *Secretary of State.*

During the extra session of the General Assembly, Governor Morton's labors accumulated to an extent scarcely ever equaled in the history of any State, and in their performance he ever had but the one object in view,—the suppression of the rebellion. He laid aside all his party prejudices, and in dispensing favors rather showed partiality to his former political foes than to his friends. Loyalty and capacity were the only qualifications for position he recognized, and during the early stages of the war he really appeared to look for these in the democratic party. To so great an extent, in fact, did he show his liberality toward the democracy, that many of his republican friends grew jealous and became somewhat embittered toward him.

In proof of this assertion we cite briefly an affair which occurred in the Indiana Legislature during the special session of 1861.

Certain republican members of that body were highly dissatisfied with the Governor's appointment of the Hon. Horace Heffron to the office of major in one of the Indiana regiments, and assigned as a reason for their dissatisfaction that Heffron had given expression to disloyal sentiments during the regular session of the previous winter. This feeling finally culminated in an attempt to pass a vote of censure upon the Governor for having appointed Heffron, accompanied by an excited discussion, in which some pretty hard things were said by the republicans against the Governor.

## CHAPTER VII.

Precarious condition of Kentucky in consequence of the attempt of Magoffin and others to force it into a neutral position—Magoffin tries to induce the executives of Indiana and Ohio to join him in an attempt to procure a suspension of hostilities between Government and Confederate States until meeting of Congress in extra session—Telegraphic correspondence—Secret agents appointed by Governor Morton to watch movements of Kentucky rebels—Difficulties in discharging Indiana troops—Governor Morton's efficiency in settling these difficulties—His promptness in responding to President's second call—Kentucky invaded by secessionists—Morton's efficient aid in their expulsion—He furnishes more troops—His prompt attention to the wants of soldiers.

About this time it began to appear that the State of Kentucky was in a very precarious condition. The Governor of that State (Magoffin) was at heart a secessionist; had refused, most positively, to respond to the President's call for volunteers, and while making external professions of a desire to hold Kentucky in a neutral position, really appeared to be secretly rendering the disunionists all the aid in his power. Not only did Magoffin play into the hands of the southern traitors, by preventing Kentucky from performing her duty, but he endeavored to drag Indiana, Ohio, and other northern border States into the bog

of neutrality, and tried to induce them to assume the character of sovereign mediators between the Government and the seceded States.

Whether Magoffin really intended to check the war movements in the loyal border States by attracting their attention to his so-called pacific measures, or whether he had a good motive in view, we, of course, have no means of fully determining; but that his refusal to comply with the demands of the Government, and his presumptive attempt to dictate terms of adjustment between the United States and the Confederate authorities, had the effect to prevent the prosecution of measures necessary to the defence of Kentucky, and to lay that State open to military occupation by the rebels, can be doubted by no rational observer.

It appears to have occurred to Governor Magoffin that the executives of Indiana and Ohio were of that pliable character which is easily wrought upon. The following telegraphic correspondence shows how much he was mistaken in this notion, especially as it regarded Governor Morton:

*Telegraph from Governor Magoffin to Governor Morton, received April 25, 1861.*

Will you co-operate with me in a proposition to the Government at Washington for peace, by the Border States, as mediators between the contending parties?

B. MAGOFFIN.



*Governor Morton's answer to the preceding telegraph,  
sent April 25, 1861.*

I will unite in any effort for the restoration of the Union and peace which shall be constitutional and honorable to Indiana and the Federal government, and will, if you so appoint, meet you to-morrow at Jeffersonville. Answer.

O. P. MORTON,  
Governor of Indiana.

*Telegraph from Governor Magoffin to Governor Morton,  
received April 26, 1861.*

I have answered a dispatch from Governor Denison, of Ohio, I would meet his representatives or send commissioners at Spencer House in Cincinnati, on Tuesday evening, 4 o'clock. Please meet us there or send commissioners. I can not go to Jeffersonville to-morrow. Answer.

B. MAGOFFIN.

INDIANAPOLIS, April 28, 1861.

*To Governor Magoffin:*

I will meet your Excellency at the Spencer House, Cincinnati, on Tuesday next, at 4 P. M. I expect to meet you in person.

O. P. MORTON,

FRANKFORT, KY., EXECUTIVE OFFICE, }  
 April 29, 1861. }

*Hon. O. P. Morton and Hon. Wm. Dennison, Governors of Indiana and Ohio:*

GENTLEMEN.—Col. Thos. L. Crittenden is hereby fully authorized to represent me in the conference to be held at 4 o'clock, to-morrow evening at the Spencer House at Cincinnati.

Respectfully, B. MAGOFFIN.

CINCINNATI, April 30, 1861.

*To Hon. O. P. Morton, Governor of the State of Indiana:*

DEAR SIR: I have been instructed by the Hon. B. Magoffin, Governor of the State of Kentucky, to solicit the co-operation of yourself and Hon. Wm. Dennison, Governor of the State of Ohio, in an effort to bring about a truce between the General government and the seceded States until the meeting of Congress in extraordinary session, in the hope that the action of that body may point out the way to a peaceful solution of our national troubles. I have the honor to be

Your obedient servant,

T. L. CRITTENDEN.

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }  
 INDIANAPOLIS, May 1, 1861. }

DEAR SIR: In reply to the note of Colonel T. L. Crittenden, of yesterday's date, informing me that he had been instructed by you to solicit the co-ope-

ration of Governor Dennison and myself, "in an effort to bring about a truce between the General government and the seceded States until the meeting of Congress in extraordinary session," it becomes my duty to state that I do not recognize the right of any State to act as a mediator between the Federal government and a rebellious State.

I hold that Indiana and Kentucky are but integral parts of the nation, and as such are subject to the Government of the United States, and bound to obey *the requisitions of the President, issued in pursuance of his constitutional authority*; that it is the duty of every State government to prohibit, by all means in its power, the transportation from within its own limits of arms, military stores and provisions, to any State in open rebellion and hostility to the Government of the United States, and to restrain her citizens from all acts giving aid and comfort to the enemy; that there is no ground in the Constitution midway between the Government and a rebellious State, upon which another State can stand, holding both in check; that a State must take her stand upon the one side or the other; and I invoke the State of Kentucky by all the sacred ties that bind us together, to take her stand with Indiana promptly and efficiently on the side of the Union. The action of the Federal government in the present contest being strictly in accordance with the Constitution and the law of the land, and entertaining the views above indicated, I am com-

pelled to decline the co-operation solicited by you. I take this occasion to renew the expression of my earnest desire that Kentucky may remain in the Union; and that the political, social, and commercial relations which exist between her and Indiana may never be disturbed, but be cemented and strengthened through all coming years.

With great respect, O. P. MORTON,  
Governor of Indiana.

To HON. B. MAGOFFIN, Governor of Kentucky.

From the date of this correspondence, forward until the close of Magoffin's administration, Governor Morton was virtually the governor of Kentucky. He saw that the legitimate tendency of the professed armed neutrality of that State, was to throw it open to invasion by the rebel army; that any effort on the part of Kentucky to maintain a neutral position, must result in more real harm to the Government than open rebellion; that to deny the army of the United States free transit across the State of Kentucky, was in itself an act of rebellion, and that the Ohio and Indiana border would, in the event of such act, be in a more exposed condition than if Kentucky were to take her place amongst the seceded States.

Acting with his usual promptness and energy, he availed himself of every opportunity to urge the Kentucky Unionists to use all possible endeavors to

place their State uncompromisingly on the side of the Union.

He despatched numbers of secret agents to Kentucky to watch the movements of the native secessionists, and ascertain from time to time the intentions of the Confederate authorities with respect to that State. By this means he was constantly advised in reference to all the hidden plots and traitorous designs of both the Kentucky rebels and their confederate allies in the seceded States. He communicated to the powers at Washington, the defenseless condition of the Indiana and Ohio border, and pressed upon the President and the War Department, the importance of fortifications and gunboats along the Ohio river. In this latter effort he was twitted by the then Secretary of War, as being "*skeert*," to use the highly classical language of the Secretary, but time demonstrated that he was right, and that had his timely advice been taken, it had been much better for the Government.

Governor Morton, from the beginning of the difficulties in Kentucky, urged constantly upon the Government, the necessity of taking decided steps toward the occupation of that State by the United States forces, and ever held in contempt the soft gloved policy, adopted by some who were high in authority, of respecting Kentucky's neutrality.

Toward the latter part of the summer of 1861, the Indiana volunteers sent to Western Virginia returned, covered with imperishable honors. They

had beaten the enemy in every skirmish, vanquished him on every battle-field. These troops having had little experience as soldiers, and being unused to the slow, complicated workings of "red-tapeism" were poorly prepared for any manifestation of neglect on the part of military officials; and the restiveness they showed on account of their unexpected detention, before being mustered out of the service and paid, threatened at times to result in open mutiny and violence. Day after day were the heroes of Laurel Hill and Rich Mountain assured that the next day they would be discharged and paid, only to be disappointed, until at length they came to believe that there was not the slightest degree of confidence to be placed in any of the regular army officers, and became so highly exasperated that they threatened the demolition of the Government offices and the lives of their deceivers. But throughout all this period of excitement there was one man in whom the soldiers had implicit faith, and that man was the ever faithful Governor of the gallant Hoosier State. He, and only he, could be relied on in this time of threatened danger to the peace of the Hoosier Capital,—in this critical period when the honor of Indiana came nearer being sullied than at any time before or since. Only he could calm the passions of the enraged and apparently outraged soldiers, and induce them to await peacefully, the action of the Government.

After these troops were mustered out of the ser-

vice and paid, an effort was immediately made to reorganize the old regiments; and there is no doubt that but for the high regard in which the three months men held Governor Morton, these regiments would have been very slow in recruiting; for many of those who had served in the first Virginia campaign had been so sorely vexed by their unreasonable detention after the expiration of their time, before being paid off, that they had sworn never again to enter the service. But the confidence with which these men were inspired by the energetic efforts made in their behalf by Indiana's noble Governor, induced many to rejoin their old regiments, despite the indifference which had been manifested toward them by regular army officials, and their own previous determination to enter the ranks, no more.

About the time of the expiration of the term of the three months volunteers, the reverse of our arms at Bull Run, awakened the Administration and the country to the fact that the foe with which the Government was contending was by no means an inferior one, and that to conquer this foe required a vastly larger force than was then in the field. Congress having, in the mean time, met in extraordinary session, and passed an act authorizing the President to call out half a million of men for a term of three years, or until the termination of the war, a new requisition was made by the national executive, and in response to that requisition, Gov-

ernor Morton, by the first of September, 1861, had no less than sixteen new regiments organized, and many of them in the field, well armed and equipped; and by September 20th, the old six regiments were reorganized, and the 11th Zouaves, under the gallant Lew. Wallace was doing noble service. In the meantime, the Governor had visited Washington and procured the admission of the 12th and 16th State regiments, Colonels John M. Wallace and Pleasant A. Hackleman, into the United States service for the term for which they had enlisted for State service,—twelve months. By this stroke of economy two of Indiana's most efficient regiments were transmitted from an inactive to an active field, and the expense of clothing and subsisting them shifted from the State to the General Government.

An incident attending the transfer of these regiments to the United States service, which occurred at Indianapolis, under the author's eye, is worth relating. Many of the members of the 12th regiment, were dissatisfied with the old smooth-bore muskets with which they were supplied, and there not being on hand enough rifled muskets to arm the entire regiment, only two companies were provided with those efficient arms. The consequences were a considerable excitement among the companies who had to retain their smooth-bores, and with many of the soldiers, a stubborn refusal to be transferred. Colonel John Wallace, a good soldier and a gallant officer, was highly mortified by this mani-



festation of rudeness on the part of his brave boys, and, with other noble officers of his regiment, used his best efforts to quiet the disturbance, and pacify the soldiers. But these efforts seemed entirely fruitless. The soldiers of the 12th knew that nearly every Indiana regiment which had gone into the field, had been furnished with the very best of minie muskets, and they were not willing to leave their State less able to punish rebels and vindicate the honor of Hoosierdom, than those who had preceded them; and the greater the endeavors to smother the fire of dissatisfaction, the hotter it appeared to become. Finally, as a last resort, Governor Morton was requested to make an effort to conciliate matters. Having the 12th drawn up in line, on the west side of the capitol, he addressed the soldiers in his usual brief and earnest manner, assuring them that their Government loudly demanded their assistance; that he regretted, as much as they, that they could not be furnished the best arms in the service, but that such arms could not then be had; that if they waited until such arms could be obtained, another Bull Run defeat might be the result; and that if they would proceed to Washington with the arms they had, they should all be provided with rifled muskets at the earliest period possible.

At the close of the Governor's appeal, he asked them if they were satisfied, and every soldier ans-

wered, yes, and the regiment gave three hearty cheers "for Governor Morton."

This is another instance in which is most strikingly manifested the unbounded confidence reposed in the Governor by the Hoosier volunteers at this early stage of the rebellion. Such confidence can only be inspired among soldiers by that active sympathy and promptness in the fulfillment of promises which characterize Indiana's greatest Governor.

General McClellan, having immediately after the battle of Bull Run been promoted to the office of Lieutenant-General of the United States forces, and having proven in the Western Virginia campaign the superiority of Indiana volunteers, decided to place Hoosier regiments in every division of the army. Accordingly, Indiana troops were sent to Washington, to Missouri, to Western Virginia and Kentucky. The most important of these departments at this period was that of Kentucky.

It appeared to be the policy of the Confederates to overrun that State, secure the assistance of the native secessionists, and penetrate the North. In the carrying out of this policy the South anticipated little difficulty. The declared intention of Governor Magoffin and other leading spirits, to maintain the neutrality of Kentucky, was considered by the rebels as highly favorable to their proposed aggressive movements, and they had not the least idea that any knowledge of their designs had reached any Northern State, or that efficient defensive measures were

contemplated by either the loyalists of Kentucky, or the people north of the Ohio. It is true, they were apprised of the fact that General (then Colonel) Rousseau was organizing a brigade of Union soldiers at Jeffersonville, Ind.; but as the United States Government had so long respected Kentucky's neutrality, it was presumed that Rousseau's brigade was designed for operations elsewhere than in Kentucky. In this latter presumption, the rebels were correct, as will presently be shown; but in the supposition that their movements were not watched they were mistaken; for the vigilance of Governor Morton's agents disallowed the unexpected development of any secret scheme.

On the 16th September, 1861, Governor Morton received a dispatch from one of his secret agents, then watching the movements of Kentucky rebels at Frankfort, where the Legislature was in extra session, as follows, to-wit:

FRANKFORT, September 16, 1861.

*Governor O. P. Morton:*

DEAR SIR:—A telegram came here last night from General Zollicoffer to Governor Magoffin, stating that he (Zollicoffer) had marched his brigade through the Cumberland Gap into Kentucky and taken possession of Log Mountain Pass, which is situated some 14 miles from the Tennessee line. F——.

On the same day (September 16th) General Buck-

ner left Bowling Green, where for some time he had been stationed, with a large body of troops, for Louisville.\* On his way thither, near Cave City, a brave and truly noble patriot named Bird, intercepted his progress by running ahead of a station, at which the train containing Buckner's forces had stopped to wood and water, and tearing up several yards of the rail track. This bold deed which has immortalized the name of him who performed it, for the time saved Louisville, and was supposed by the *Louisville Journal*, to have been the one act which prevented the occupation of that city by the rebels. But it appears that, notwithstanding the daring and timely intervention of the gallant Bird, Louisville would have fallen into the hands of Buckner's forces, eventually, had it not been for the prompt, energetic action of the Governor of Indiana. For, on the 17th of September, Colonel Rousseau, with his Kentucky brigade, stationed at Jeffersonville, was ordered to St. Louis, which order, if it had been obeyed, would have stripped Louisville of troops, and rendered the occupation of that city, by Buckner, an easy task, so soon as he had repaired his damaged track.

But Governor Morton, learning through one of his agents that Rousseau was on the eve of starting for St. Louis, had the order to march countermanded,

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\* These troops had been originally mustered into the Kentucky State service, as neutral State Guards.

ordered the troops to cross the Ohio into Kentucky, and in the meantime sent every available man from Indiana to the defence of Louisville, and thus insured its safety.

Governor Morton, perceiving that Kentucky's neutrality was at an end, and that her soil was actually invaded by the rebels, withdrew his secret agents, and appealed to the people of Indiana to render Kentucky all possible aid in rescuing herself from the hands of the secessionists. Regiment after regiment responded to the call, and ere the lapse of many months, Bowling Green, a strongly fortified rebel position, was occupied by Federal troops, Zollicoffer was signally defeated at Mill Spring, his forces scattered in confusion, himself killed, and the soil of Kentucky cleared of rebel troops.

It is in reference to this timely energetic action of Governor Morton, in behalf of Kentucky, that a Kentucky paper afterwards speaks while making grateful and eulogistic mention of a subsequent appeal made by the Governor to the citizens of Indiana, when Kentucky was invaded the second time. We quote:

“It is only just to state that the present energetic and patriotic Governor Morton, of Indiana, is winning golden opinions from all sorts of people (except the secessionists), by the zeal and efficiency with which, supported as he has been by the loyal population of that gallant State, he is seconding the military operations of the Government in all its

departments, and especially in the department of Cumberland. It is in just tribute to this functionary, and in allusion to a proclamation in which he urges upon the people of Indiana, by every consideration, to put forth their strength in aid of Kentucky, reminding them that years ago Kentucky helped to rescue Indiana from the horrors of savage warfare, that the *Louisville Journal*, of recent date, speaks as follows :

“ ‘ The call of the patriotic Morton upon the people of his State, will endear him still more deeply to the people of Kentucky, who already appreciate the great obligation they are under to him. He has been emphatically Kentucky’s guardian spirit from the very commencement of the dangers that now darkly threaten her very existence, and she knows it, Kentucky and the whole country owe him a large debt of gratitude. Oh, that all the public functionaries of the country were as vigilant, as clear-sighted, as energetic, as fearless, as chivalric as he.’ ”

Governor Morton’s conduct toward Kentucky in her times of peril endeared him so strongly to every patriotic citizen of that State, that his former zealous opposition to the institution of slavery appear to have been entirely forgotten, and he was virtually adopted by the Unionists of Kentucky as their Governor. We cite an incident in point. Shortly after Kentucky was cleared of rebel troops, a very wealthy lady of Frankfort, the owner of a large number of

slaves, visited some friends in Indianapolis, and on the second day of her visit inquired for Governor Morton. Upon ascertaining that he was absent and would not return for several days, she prolonged her visit somewhat beyond the time she had intended to remain. The day for the Governor's return having arrived, and he not appearing, the lady extended her visit still several days more, saying she would not leave Indiana until she had seen him. A friend inquiring of her the reason why she was so anxious to see the Hoosier Governor, she replied: "Because he is *our* Governor as well as yours, and has been ever since the beginning of the rebellion."

But Governor Morton's labors outside of his own State during the summer and fall of 1861 did not extend to Kentucky alone. The wants of Indiana troops in Missouri, Western Virginia, and the department of the Potomac received his constant, personal attention, and his numerous efficient agents were found actively employed in every camp where Indiana regiments were stationed, and upon every field of their glory.

The reverses of the national arms during this period had such a discouraging effect upon the country, that in most of the loyal States the work of recruiting progressed slowly. But the never failing faithfulness of Governor Morton in following up Indiana volunteers, securing their pay, administering to their personal wants, and in providing, in the mean time, for their families at home, inspired the

people of Indiana with such a degree of confidence that the volunteering spirit among them seemed not to abate one particle in consequence of the national disasters; and by the 14th of December, 1861, twenty volunteer regiments were added to the twenty-four already mentioned in this chapter, making an aggregate of forty-four volunteer regiments from Indiana in the service of the United States.

If it be inquired, why Indiana, during this discouraging season, outstripped nearly every other State in the Union in furnishing soldiers for the war, the answer is, because the executive of that State was true to the soldier and the soldier's family.

The Government, during the year 1861 was necessarily slow in clothing the troops, mainly because it had not yet had sufficient experience in war to avoid the occasional employment of heartless speculators as quartermasters, and the troops sent to Western Virginia were so far neglected that the approach of winter seemed likely to find them almost destitute of comfortable clothing. Governor Morton, ever attentive to the needs and wants of the soldier, sought to remedy this deficiency, so far as the Indiana troops in Western Virginia were concerned, by taking the matter of supplying them with clothing into his own hands. The following telegraphic correspondence, taken from the *Indianapolis Journal*, shows how earnestly he labored to accomplish his end :

“The following selection from among the many



telegrams now on file in the Governor's office, in relation to the treatment of our soldiers under command of General Reynolds, at Cheat Mountain, will show how persistently the Governor has followed up his purpose of having our troops well provided for, and how he has been thwarted. With all the promises, orders, requisitions and what not of the mass of correspondence, the clothing has only just begun to arrive. Much of it is surely lost, and many a good man has died from the destitution so vainly sought to be remedied, by the plots disclosed below :

*Dispatch from Governor O. P. Morton.*

WASHINGTON CITY, August 20th, 1861.

Urge Major Montgomery to get overcoats from any good material, and do not wait for a public letting. Do have them made at once. The men are suffering for them, and I am distressed for them. Perhaps a few thousand can be furnished at once by Captain Dickerson.

O. P. MORTON.

Quartermaster Vajen went immediately to Cincinnati, and was informed by Captain Dickerson that he had just sent General Reynolds 4,000 great coats. Governor Morton at once sent his private secretary to Western Virginia to see that these coats were delivered. He could not find nor hear of them, and after learning from General Reynolds that the latter was in want of shirts, drawers, socks

and caps, he returned to Cincinnati, obtained these supplies, and informed Major Montgomery, who requested Captain Dickerson to have them inspected and sent forward to our troops. To this Captain Dickerson answered that he had sent all that had been asked for by General Rosecrans, and that the clothing had not been taken by him, and was subject to his orders. One thousand great coats were then forwarded and the others were promised immediately.

*Dispatch from Governor Morton to General Meigs.*  
INDIANAPOLIS, September 2.

*M. C. Meigs, Washington:*

We have supplied from Cincinnati, overcoats for our troops in Western Virginia. Will you please direct Major Vinton to send the 4,000 overcoats you ordered for the Indiana troops to the Indiana regiments in Maryland and about Washington. If he will send 2,000 more, making 6,000, it will be enough for all the Indiana troops in those places.

O. P. MORTON.

*Dispatch from General Meigs to Governor Morton.*  
WASHINGTON, September 2, 1861.

All overcoats in New York have been ordered here, and the six Indiana regiments named in your dispatch will be supplied from this place.

M. C. MEIGS, Q. M. G.

This was not done according to promise.

*Dispatch from Governor Morton to General Reynolds  
at Cheat Mountain Pass.*

INDIANAPOLIS, September 2, 1861.

Four thousand overcoats have been sent to your troops, to the care of General Rosecrans, by Captain J. H. Dickerson, Assistant Quartermaster at Cincinnati. Will you look after them at once and see that somebody else does not get them?

O. P. MORTON.

*Dispatch from General Reynolds to Governor Morton.*

CHEAT MOUNTAIN PASS, September 3, 1861.

The thirteenth regiment is well clothed. The fourteenth and fifteenth are ragged,—all require overcoats. Requisitions were made on the Quartermaster's department a month since for the clothing required, and it ought to be here in a few days.

J. J. REYNOLDS,  
Brigadier General.

*Dispatch from Governor Morton to General Reynolds,  
Cheat Mountain Pass.*

INDIANAPOLIS, September 4, 1861.

On what quartermaster did you make requisition for clothing?

O. P. MORTON.

*Dispatch from General Reynolds.*

CHEAT MOUNTAIN PASS, September 4, 1861.

My requisition for clothing was made on the

quartermaster at Beverly. Whether it got any further, I can not say; but I will see the clothing you send properly distributed, and that receipts are sent. Thanks for your remembrance of us.

J. J. REYNOLDS,  
Brigadier General.

*Dispatch from Governor Morton to Captain Dickerson.*

INDIANAPOLIS, September 5, 1861.

*Captain Dickerson, Quartermaster, Cincinnati, Ohio :*

General Reynolds made a requisition on the quartermaster at Beverly for uniforms. Did he make a requisition on you? If so, when will they be furnished? The men are suffering from cold on the mountains.

O. P. MORTON.

*Dispatch from Lieutenant Colonel D. H. Vinton, N. Y.*

The 4,000 great coats were sent on the 22d of August, for the Indiana regiments.

D. H. VINTON,  
Lieutenant Colonel, D. Q. M.

*Dispatch from Governor Morton to Lieutenant Colonel D. H. Vinton.*

INDIANAPOLIS, September 6, 1861.

To whom were the 4,000 great coats for our troops sent? Answer immediately.

O. P. MORTON.

*Dispatch from Lieutenant Colonel D. H. Vinton, to  
Governor Morton.*

NEW YORK, September 7, 1861.

The 4,000 great coats were sent to Captain Craig,  
at Bellair, Ohio.

D. H. VINTON,  
Lieutenant Colonel, A. Q. M. G.

*Dispatch to Captain Craig, U. S. Q. M., Bellair, Ohio.*

INDIANAPOLIS, September 7, 1861

Quartermaster Vinton telegraphs me that 4,000  
great coats were sent you for the Indiana troops in  
Western Virginia. Did you ever receive them?

O. P. MORTON.

*Answer to the above.*

BELLAIR, September 9, 1861.

I have received 4,000 great coats, but with them  
no advices as to what troops they are for. The  
regimental quartermasters of our Indiana troops can  
make a requisition upon me, approved by General  
Rosecrans, and I will deliver immediately.

W. CRAIG, Capt. Q. M. Dept., U. S. A.

It will be seen by reference to a subsequent dis-  
patch, that he issued these great coats to other reg-  
iments without advising Governor Morton, and in  
violation of the above promise.

*Dispatch from Governor Morton to General Reynolds,  
Cheat Mountain.*

INDIANAPOLIS, September 9, 1861.

Captain Craig, Quartermaster at Bellair, has the 4,000 overcoats. He will give them to you upon a requisition approved by Rosecrans. Will you do so? Send a man after them so as to be sure.

O. P. MORTON.

*Dispatch from Governor Morton to Captain Craig,  
Bellair, Ohio.*

INDIANAPOLIS, September 9, 1861.

I have notified General Reynolds. Keep the coats for him and oblige,

O. P. MORTON.

*Dispatch from General Reynolds to Governor Morton.  
CHEAT MOUNTAIN, September 9, 1861.*

Requisitions have been made in due form twice. The first time more than a month ago, and in accordance with orders from Department. Hope it is coming. Have done all I can, and am willing to do anything yet to get it. Overcoats not yet arrived.

J. J. REYNOLDS, Brig. Gen.

*Dispatch from Governor Morton to General Meigs,  
Quartermaster General, Washington*

INDIANAPOLIS, September 10, 1861.

General Reynolds made a requisition for supplies for Indiana troops in Western Virginia, more than

a month ago, and nothing heard from it,—4,000 overcoats sent for same troops were stopped and held subject to order of General Rosecrans. The clothing Major Montgomery purchased for same troops is held by Captain Dickerson in Cincinnati. Is there no help for this state of things? The troops are suffering.

O. P. MORTON.

General Meigs called the attention of Captain Dickerson to this detention, to which he replied as follows :

*Dispatch from Captain Dickerson to Quartermaster General.*

CINCINNATI, O., September 14, 1861.

*To Quartermaster General, Washington, D. C.*

SIR : The report that clothing bought by Major Montgomery for Indiana troops was detained and is now held by me is false.

Some three weeks or more, since, Captain Chandler, at General Rosecrans' headquarters, sent me a requisition for 20,000 infantry pants, 1,000 cavalry pants, 20,000 flannel shirts, 20,000 pairs of drawers, 20,000 pairs of shoes, 15,000 pairs of stockings, 10,000 overcoats, 5,000 caps with covers, 10,000 haversacks, and many other supplies in less quantities. Four or five days after I had filled the chief part of the order, Major Montgomery wrote me that he had just purchased, from a house in this city, 8,400 shirts, 8,400 pairs of drawers, and other supplies in

equal quantities, and asked to have them inspected and sent to the Indiana troops in Western Virginia.

I replied to Major Montgomery that I had just filled a large order, all that was asked for by General Rosecrans' chief quartermaster in the field, and that I supposed his requisition embraced all the demands of General Rosecrans' command, and that the clothing he had purchased had not been taken by me, but was subject to his orders. He has since ordered it sent to Indianapolis. So far from being detained or held by me, it has never been in my hands. Respectfully your obedient servant,

J. H. DICKERSON, Captain and Q. M.

*Dispatch from Governor Morton to Captain Leib,  
Quartermaster at Clarksburg, Virginia.*

INDIANAPOLIS, September 11, 1861.

Have any overcoats reached you?

O. P. MORTON.

*Dispatch from Captain Leib to Governor Morton.*

CLARKSBURG, Va., September 12, 1861.

The overcoats arrived here yesterday, and will be sent to Webster this morning, and shipped at once from that place. I have advised General Reynolds of their arrival.

CHAS. LEIB,

Captain and Quartermaster.

This telegram refers to the one thousand sent from Cincinnati, September 2.



*Dispatch from Adj't General Wheat to Gov. Morton.*

WHEELING, September 15, 1861.

The great coats for the Indiana regiments went forward from Clarksburg, on Thursday the 12th inst.

JAS. S. WHEAT, Adj't Gen. V. M.

The same lot referred to by Captain Leib above.

*Dispatch from Governor Morton to General Rosecrans.*

INDIANAPOLIS, September 17, 1861.

I am in constant receipt of news from Reynolds' brigade, and our troops are nearly naked. All I can do will not get them clothes. Will you do me favor to have Captain Chandler send them some? If I attempt to send them from here, Captain Dickerson will inform me that he is attending to that. Orders must come through you. Please oblige me in this.

O. P. MORTON.

*Dispatch from General Reynolds to Governor Morton,*

ELKWATER, September 19, 1861.

Only 1,200 overcoats have arrived.

J. J. REYNOLDS, Brig. Gen.

*Dispatch from Captain Stewart (cavalry company) to Governor Morton.*

CROSS LANES, September 19, 1861.

I have seen Captain Chandler. He tells me you had better attend to the uniforms for my company,

as the Government is very slow about these things. My men are actually suffering for want of warm clothing. Have them shipped for Charleston.

R. R. STEWART, Captain.

*Dispatch from Governor Morton to Quartermaster General Meigs, Washington City.*

INDIANAPOLIS, September 20, 1861.

Of the 4,000 overcoats sent to Western Virginia for the Indiana troops, they got 1,200. Requisitions made six weeks ago, have not been filled, although Captain Dickerson says the articles have all been sent to General Rosecrans' quartermaster. The last dodge was that requisitions must be signed by Captain Chandler, who is with Rosecrans, far away from Reynolds, and where the supplies are. Captain Stewart's cavalry are almost naked and have sent home for supplies. My opinion is that in the Quartermaster's department in Western Virginia, there is great incapacity or fraud and the abuses are becoming insufferable. I pray you give it your attention.

O. P. MORTON.

*Dispatch from Quartermaster General Meigs to Governor Morton.*

WASHINGTON, Sept. 20, 1861.

Captain Dickerson sent clothing and equipments to thirty-seven regiments since the 9th of August; 16,000 suits to General Rosecrans some time since; 9,000 more to him on the 10th of September; 15,000

blankets go to Gen. Rosecrans from Cincinnati at once. I order 10,000 blankets from New York to Captain Dickerson to fill up his store again. Will do the best I can for your troops. Governor Pierpont, of Virginia, is in possession of a large quantity of clothing, sent to Wheeling for General Rosecrans. Call on him for Indiana troops in Virginia.

M. C. MEIGS.

There were not twenty regiments in Western Virginia at that time. What became of the clothing? It is reported to have fallen in some out of the way place on the Kanawha and been buried under a freshet.

*Dispatch from W. Craig, A. Q. M.*

MARIETTA, O., Sept. 25, 1861.

The 4,000 overcoats to which you refer have been issued like all other clothing coming into my possession without special instructions. There was nothing in the invoices on the boxes, nor in the letter of advice, to show that these overcoats were for any particular troops. 1,200 have been issued to Indiana troops at Cheat Mountain Pass, and the rest to other parties equally destitute.

W. CRAIG, Captain, A. Q. M.

*Dispatch from General Rosecrans.*

CROSS LANES, Va., Sept. 25, 1861.

Your dispatch is received. 10,000 uniforms have gone down to General Reynolds; none have reached

this moving column. I feel even more discouraged than General Reynolds that the necessity of pursuing the enemy prevents attention to clothing the troops. The difficulty now appears in a fair way to be remedied. I have caused inquiries to be made as to those overcoats. I think they will be found on their way from the railroad to Huttonsville.

W. S. ROSECRANS,  
Brigadier General, U. S. A.

The 10,000 uniforms never reached General Reynolds.

*Dispatch from Quartermaster General Meigs to Governor Morton.*

WASHINGTON, Sept. 28, 1861.

Telegram received. Captain J. H. Dickerson's report on his alleged detention of clothing for the Indiana troops was sent to the Quartermaster General of Indiana, September 24th. Captain D. has lately sent 15,000 blankets to Clarksburg from Grafton, making 25,000 lately sent to Western Virginia, which the Quartermaster should properly distribute.

M. C. MEIGS, Q. M. G.

*Dispatch from Governor Morton to Hon. D. C. Brantham, Washington.*

INDIANAPOLIS, Oct. 6, 1861.

General Stone has just returned from Virginia. Only two regiments have overcoats. General Kelley, at Grafton, will receive 3,000 to-day from Cincin-

nati. Will not General Meigs order him to issue 2,000 of them to the 13th and 17th regiments? They are suffering dreadfully. The clothing sent to Rosecrans is packed in a warehouse on the Kanawha, while our men are suffering, and the rise of the river inundated and ruined it. Our men also want uniforms and shoes. The roads will soon be impassible. Urge Meigs to take steps to relieve them immediately.

O. P. MORTON.

*Dispatch from Quartermaster General Meigs to Mr. Branham.*

WASHINGTON CITY, October 7, 1861.

I order shoes to Grafton from Philadelphia to-day. Overcoats go into the field. Some neglect in Western Virginia in distributing the large supplies sent to that State.

M. C. MEIGS,

Quartermaster General.

*Dispatch to Brigadier General Kelley, Grafton, Va.*

Captain Dickerson, of Cincinnati, informs me that he has sent within a few days, 3,000 great coats, 5,000 blankets, and other supplies. Will you please do me the favor to issue 2,000 of the great coats to the 13th and 17th Indiana regiments under General Reynolds; also 4,000 blankets. They are perfectly destitute. I will take this as a *personal* favor. Their destitution has been a matter of great mortification to me.

O. P. MORTON,

Governor of Indiana.

*Answer to the foregoing.*

GOVERNOR O. P. MORTON: Your telegram is received. Your request shall receive my personal attention.

B. F. KELLEY, Brig. Gen.

*Dispatch from General Reynolds to Governor Morton.*

CHEAT MOUNTAIN PASS, October 7, 1861.

Clothing is coming forward. In a few days we will have a supply for the 13th, 14th, 15th and 17th, except shoes, socks and caps, the last not so important. Shoes and socks are much needed. These regiments have suffered greatly, but not a man among them has any fault to find with the Governor of his State. They are all informed of the exertions made in their behalf, and appreciate them, and when opportunity offers will show their appreciation.

J. J. REYNOLDS, Brig. Gen.

The indefatigable energy displayed in this effort of Governor Morton to prevent the suffering consequent upon deficient clothing, in the mountains of Western Virginia, during the cold season, has rarely ever been paralleled in the history of the country. Notwithstanding the frequent defeats he met in his attempts to carry his point, and despite all the insults he suffered at the hands of contemptible, narrow, contracted and thieving officials, he still persisted, until he succeeded in alleviating the sufferings of the Hoosier volunteers. He sent no

less than four special messengers at different times to follow up clothing and see that it was properly delivered, or to find it if lost. That he should have been so frequently thwarted in his noble designs, and that the clothing he had provided for Indiana troops should have been issued to volunteers from other States, and a large quantity of it miscarried and finally ruined in a warehouse, up the Kanawha, remain a lasting disgrace upon those to whom these abuses are chargeable throughout all time, and will only add to, rather than sully the imperishable fame of the Governor of Indiana.

The *Indianapolis Daily Sentinel*, speaking of this matter, says :

“ We publish this morning a statement, accompanied with the correspondence and dispatches, showing that Governor Morton has made every effort in his power to procure, from the proper authorities, winter clothing and other needed supplies for the Indiana volunteers, now in the service of the General government. There can be no question that his Excellency has done his whole duty in the matter ; and whatever faults and short-comings there may be, they can not be attributed to him. The statement develops the fact that there is great destitution among our troops which must, in a great measure, be relieved by the individual efforts, generosity and patriotism of the people of Indiana. There is no time to be lost in sending forward contributions of blankets and socks to prevent their

suffering from the exposures to which they are even now subjected, especially the troops in the mountainous regions of Western Virginia. While we differ *in toto* with the political views and sympathies of Governor Morton, we can not refrain from saying that he is entitled to great credit for the extraordinary energy and industry he has displayed in the management of the military affairs of Indiana, and his prompt response in behalf of the State, to all the requisitions of the Federal government since the first call of the President for volunteers to suppress the rebellion in the seceded States. The Indiana volunteers, by their bravery and gallantry, have reflected high honor upon the State, and given her a fame which may justly excite the pride of all her citizens."

The unbounded popularity of Governor Morton among the soldiers, and his growing reputation in other States, during the first year of the war, exciting the jealousy of certain ambitious politicians, and he having refused to confer favors upon numerous incompetent place seekers, he, necessarily, became the victim of envy and disappointed ambition. Charges of mismanagement in State military matters, of corruption in the appointment of officers and the awarding of contracts, were heard from various quarters, and, although without the least foundation in truth, were not unfrequently credited by those who should have had more respect for



themselves, if not regard for the Governor, than to have done so.

During the month of December, 1861, it appears that, in compliance with Governor Morton's frequent urgent request, the Congressional Committee of Investigation visited Indianapolis, and made a rigid inquiry into the management of military matters in Indiana. The published report of the proceedings of this committee, not only exonerates the State executive from all blame as it regarded the letting of contracts, &c., but shows the greatest care on his part to prevent fraud and speculation. The fact is developed by the investigations of the committee, that he even opposed his own brother in obtaining a contract, assigning as his reason for such opposition, that he feared the least indication, on his part, of a disposition to favor his brother, would cause complaint and dissatisfaction. It was also ascertained by this committee, that, notwithstanding the Indiana troops had been better armed and equipped than those of any other Western State, the expense attending their outfit was less, in proportion to the number of men furnished, than that of any other State in the Union. Yet, despite the indubitable evidences of the Governor's honesty and superior economy, the work of the calumniator, so far from being abandoned, was continued with increased vigor. But the Governor, regardless of all the slanders heaped upon him, went steadily forward in the performance of his duties, giving no

heed to the opinions of men respecting himself, and looking solely to the interests of the people and the country. And, notwithstanding he was continually beset with a countless swarm of those individuals popularly denominated "bores," he always demeaned himself with true, manly dignity, and treated all who approached him with the greatest courtesy. In fact, his equanimity and urbanity were matters of remark among friends and foes.

As the war progressed, and the execution of all plans proposed by him, resulted successfully, he arose in the estimation of the President and the Cabinet, until it was finally admitted by the knowing ones at Washington that his influence with the powers at that city was greater than that of any other man, outside of the national executive department, in the country. His thorough knowledge of the people of the Northwest, his ready tact in adapting means to ends, his great forecasting and combining powers, and above all his energy and promptness in the performance of all labor assigned him, secured to him a deference which few men in the nation enjoyed; and more than once was his presence requested, and his counsel solicited in matters of the greatest importance to the Government.

In addition to the performance of the duties of his office as State executive, the labors attending the organization of regiments and their preparation for service, the protection of Kentucky, the prompt provision for the wants of soldiers and their famil-

ies, he frequently took occasion to talk to the people, earnestly exhorting them to stand by their Government, and demonstrating to them the folly of hoping for a permanent and honorable settlement of the national difficulties, otherwise than by thoroughly conquering the rebels. The short, pungent speech we here insert was delivered at Rockville, some time during the year 1863. The precise date we have been unable to ascertain :

All republican governments are based upon the principle, that when the will of the people has been expressed through the framers of the Constitution, all parties and all men must submit. Unless this principle be unconditionally admitted, republican government can not exist for a day. For illustration of this truth I might refer to the history of Mexico, where each election is followed by a revolution, where the minority refuses to submit to the majority, and fly to arms for the redress of every fancied grievance. Such has been the history of republican government in France and other countries in Europe. Every officer of the Government, when properly elected, becomes the officer and agent of the people, whether they favored his election or not, and all loyal citizens recognize him as such.

Mr. Buchanan, when elected, although I did not favor his election, became my president. Any insult offered to him by a foreign power, or any resistance to his lawful authority by domestic foes

was an insult and an injury to me and every citizen of the United States. Some people there are who are so incredibly stupid as to be unable to perceive any difference between the Government and the mere agents who carry it on for the time. Government is intended to be permanent, while the officers by whom it is administered are ever changing. Washington, Jefferson and Jackson have passed away, but the Government they administered still lasts, and I trust will last forever. The man who now controls public affairs will in a few short years have passed from the stage of action; but we trust the Government will survive him. The man who would refuse to protect the Government merely because he did not like the man who carried it on, would display as little sense as the inebriate who would refuse to protect his dwelling from the flames because he did not like the agency of water.

#### PARTY QUESTIONS.

This is not a war of parties, but of the whole people. The interests involved rise as far above mere party considerations as the heavens are above the earth.

The man who stands aloof from the great contest, higgling about his party, is short-sighted, and fails to comprehend the times in which he lives. Parties can only exist in a free Government, and when the Government falls they fall along with it. The democratic, whig and republican parties have

each sought to administer the Government. But if the Government should pass away there would be nothing left to administer. If there is any poor partisan here to-day who believes that, after the Government has been destroyed, he will have his party left and may enjoy that, I yield him up in despair. The Almighty has enveloped his intellect in eternal night, and fore-ordained that he should be a fool forever and ever.

#### LINCOLN'S ABOLITION WAR.

The charge is made in this country that this war was begun by Lincoln to bring about the abolition of Slavery. The man who utters this charge is attempting to commit a fraud upon the people and treason against the Government. Every intelligent man knows that before Lincoln was inaugurated, the rebels had an army of thirty thousand men in the field; had laid a siege for Fort Pickens and Fort Sumter; had robbed the mint at New Orleans of half a million of dollars; had plundered various forts and arsenals of two hundred thousand stand of arms and five hundred pieces of artillery; had confiscated the debts due from citizens of seceded States to the people of the North, thus robbing them of hundreds of millions of dollars; had murdered or driven out from the seceded States every man of Northern birth or that entertains a lingering attachment for the Constitution of his country.

The object of a falsehood so foul and monstrous

is not to be mistaken. It is to distract the people of the North, and palsy the hands of the Government, that it may fall an easy prey to the scoundrels who are seeking its destruction. This would be its effect, if any it had, and must therefore be its aim.

### PEACE.

But it is said we must have peace and could have peace if we would. I love peace as much as any man. Its sweets are as delicious to my taste as to that of any human being. But when I say this I mean peace that is safe; peace that is crowned with liberty and the blessings of an enlightened civilization. I do not mean that peace which is the sleep of death; which is purchased by foul dishonor; nor that peace which is but another name for submission to tyrants and traitors. It is utter folly to talk about peace without pointing out some method by which it may be obtained. I know of but two conditions now, upon which peace can be had. The first is by submitting to disruption of the Union and the destruction of the Government. The second is by the submission of the traitors now in arms. And I appeal to you to-day to answer the question in your own hearts, upon which of these conditions do you demand peace? Who are the men that are clamoring for peace upon any terms? They are not the Union men of Kentucky, of Missouri, of Tennessee, of Maryland or of Virginia. But they are small clans scattered throughout the

Northern States, who are violently suspected by their neighbors of not being Union men, but men who would flourish most and rejoice most in a period of general anarchy and social and political dissolution.

But we are told that unless we at once suspend hostilities, and secure peace on any terms, an enormous public debt will be contracted, which will oppress the people for generations to come. A large public debt is undoubtedly a calamity; but there are greater calamities. What will it profit the people if they should gain the wealth of the whole world, but lose their Government, and with it their liberties? In my judgment, the man who can deliberately weigh gold in the scale against the existence of this Government, and the liberties of this people, is either an idiot or a traitor. If there is such a man in Park county, may God forgive him for I can not. What matters whether this war shall cost an hundred millions or a hundred thousand, if we are thereby enabled to maintain the Union, and transmit this Government to our children? Considered in a mere financial view, it would be the best investment the American people ever made. If the Government fall, what becomes of the value of property? What becomes of commerce? Of public and private institutions? Of prosperity of every kind?

“The folly of the man who refuses to sustain the Government because it will cost a large amount of

money to do so, is only equaled by him who should refuse to purchase necessary food because it is expensive, and voluntarily starves himself to death in order that he may live to enjoy a large fortune. Financially considered, secession is the greatest misfortune that could befall a nation, and especially the people of the Western States. The Mississippi river would become the property of a foreign government, and we should be cut off from any outlet to the Gulf, except upon such terms as should be graciously vouchsafed to us by the traitors now in arms. The manufactures and agricultural productions of Indiana would not be allowed to float down the Mississippi to find a market, except on compliance with the conditions and payment of the duties prescribed by the Dictatorship at Richmond.

The Revolutionary war is estimated to have cost two hundred millions of dollars. How much easier would it have been to have paid the little duty of three pence a pound on tea. And can you doubt that the men who now urge the cost of this war as an objection to it, would, for the same reason, have objected to the Revolution, had they lived during that period?

#### COMPROMISE.

But it is said that this war might have been avoided by a compromise, and could now be settled by a compromise. While we were babbling



of compromise last winter, the traitors were stealing arms, plundering mints, investing fortresses, and marshaling armies into the field. What is there to compromise now but the integrity of the Union and the existence of the Government? Do the traitors offer to us any compromise? No; on the contrary, their ultimatum is the destruction of the Constitution and the Union. But how would these men go about proposing a compromise to an enemy who has an hundred thousand men in the field, and who spits in the nation's face whenever the word is mentioned; who declares that secession and disunion are the glorious consummation of the toil and travail of more than thirty years; who affirms that free institutions at the North are a failure; that the only true foundation for government is African slavery; and that the laboring classes of the North are serfs and vassals, beneath the mental and moral dignity of the slave upon the plantation? It is now well known that the secession movement was inaugurated as early as 1829. Its first effort at the destruction of the Government was made in 1839, in the nullification movement in South Carolina, based ostensibly on the tariff question. General Jackson then predicted that the next effort would be predicated upon the slavery question; and the prophecy has been fulfilled. From that time forward, secession has been kept alive under the deceitful and specious title of States' rights; and yet these con-

stitutional doctors propose to cure this chronic secession cancer by the application of a mild compromise plaster. But I tell you, No! The only cure for the cancer is the knife. You must cut out the gangrened and rotten parts, and extract the very roots of the devouring ulcer. Compromise roots and herbs are of no avail in a case like this. The Southern commissioners, sent to Washington last spring, offered no compromise, and would listen to none. Their haughty and traitorous demand was that we should consent to the dissolution of the Union and the dismemberment of the Government. They said if this Government would write its name on a blank piece of paper, and allow them to write over it the conditions upon which they would compromise this difficulty, and return to the Union, they had none to write. A proposition to compromise now is simply a proposition to surrender; and the man who makes it, disguise it as he may, means that and nothing else. We are fighting to preserve what our fathers fought to win. They established a Republican government, and we will uphold it. If their cause was sacred, then is ours, sanctified by their blood, and should, if necessary, be sealed by our own.

#### SECESSION.

To concede practically or theoretically the doctrine of secession, upon which this Rebellion is

based, is to concede the destruction of our social and political institutions. That doctrine is, that any State has a right to withdraw from the Union at pleasure, without consulting the National government, or the other States. This being admitted, it requires no argument to prove that we have no government, but a mere voluntary association, with no higher sanctions than a pleasure party from which any guest may retire at his own convenience. Carried to its consequences, it does not stop with the destruction of the National government, but is equally fatal to State and local institutions. Commerce must perish when one party can withdraw from a contract without the consent of the other. No other war ever involved such mighty interests, comprehending, as it does, the political and social existence of the Nation, and if, while everything is thus at stake, we shall suffer ourselves to be distracted and conquered by old prejudices and jealousies, false views of public economy and the evil machinations of selfish demagogues, the world may well pronounce final judgment that the experiment of self-government has failed, and that men can be successfully governed only by an aristocracy or a monarchy.

#### FREEDOM OF SPEECH.

Much has been said, in certain quarters, now, about the right of free speech. I allow no man to be a more firm and consistent advocate of that right

than myself. I have battled for many years, and shall ever uphold it as the very touchstone of liberty. It will be found, on examination, that those who are now making the clamor, mean, by the "freedom of speech," the right to weaken our hands and strengthen the hand of our enemy, by distracting our councils, by reviling our cause, by ignominious propositions to lay down our arms, and by assailing the purity of all men who are laboring to uphold the honor and integrity of the nation. If any man in the rebellious States should utter in defence of the North a tithe of what men in Indiana are daily saying in defence of the South, he would be permitted to live long enough to say his prayers. This freedom of speech is exercised in behalf of those who deny the right to all others, and who punish this exercise with death. The men who thus abuse this right of free speech are living monuments of the forbearance of our laws, and of the liberty and security of persons, guaranteed by our institutions. While I admit and will uphold the freedom of speech, it is not improper to state that there are State and National laws defining and punishing the crime of treason, and that infractions of these laws will be searched out and punished with the utmost vigor.

Shortly before the delivery of this speech, a politician, too contemptible and unprincipled to be named here, had made a tour of certain southern

counties of Indiana, and made speeches encouraging opposition to the war, and counseling the people to demand a cessation of hostilities and a proposition by the North to the South, for a compromise. This individual, laying a false claim to the name democrat, and operating where he could, directly upon the partisan prejudices of the people, had his influence, and having been in past days a somewhat prominent leader in the democratic party, he was in a position to be feared, although his abilities were not such as to secure the least respect from persons of any intelligence.

This man lived in the neighborhood of where the foregoing speech was delivered, and was the first "copperhead" to make an open show of treason in Indiana. It is, doubtless, to him and his satellites, that the warning contained in the last sentence in the Governor's effort is given.

## CHAPTER VIII.

Discouragement of people in 1862 in consequence of National reverses—Efforts of Governor Morton to counteract this feeling—His efficient operations against "K. G. C." in Indiana—Charges against him by the members of that order—Proofs of insincerity of such charges—His efforts to relieve Indiana troops at Fort Pillow—Telegraphic correspondence, etc., etc.

THE year 1862 found the loyal people of the United States regretting the misconduct and incapacity of generals, the loss of battles, and the unnecessary sacrifice of human life. Such had been the success of the rebellion that almost every loyal border State was threatened with invasion, and many of the true friends of the Government said: "Either let us have a more efficient prosecution of the war, or a cessation of hostilities." Even the people of the gallant Hoosier State appeared discouraged, and many of them seemed convinced that further resistance to the South was useless. But despite all the discouraging features of the war and the general public despondency, the Governor of Indiana remained steadfast to his faith in the Union, and used all his influence to encourage the people to stand firm in the support of the Government, and hope for ultimate success. His faith in the Government was not to be diminished by

a year's reverses, and although he regretted the unnecessary waste of human blood as much as any one, yet he did not allow the thought of such waste to weaken his determination that the rebellion should be crushed. On the contrary, he increased his efforts to strengthen public confidence, and to aid in the re-establishment of the supremacy of the Constitution and laws, as the cloud of despondency thickened.

He continued to encourage the work of volunteering, causing bounties to be increased. By the 23d of February (1862), six regiments of infantry were added to the number already in the field. In the meantime the battle of Mill Springs had been fought, which, with a few other important victories, had, to some extent, restored public confidence, and given a fresh impetus to the enlistment of troops.

About the commencement of the year, it became manifest that there was a secret foe to the Government in most of the loyal States, more to be feared than the entire Confederate army. This foe was an organization known by various names, as that of "Self-Protecting Brothers," "Star in the West," etc. Whatever might have been the name by which it was known in the North, it was, without doubt, a branch of the traitorous order known in the South as "Knights of the Golden Circle." This organization grew rapidly in numbers, especially in the more remote sections of the country,

where the honest masses, not having frequent access to the mediums of public intelligence, were duped by the score by a set of the most unprincipled politicians that ever disgraced a civilized country. The order became quite popular in the southern counties of Indiana, and was not unfrequently met with in the central and northern sections of the State. Its members were generally known by their denunciations of the Administration the abolition war, and Governor Morton.

And it is a notorious fact that the founders and leading members of this organization in Indiana were, generally, those who had failed to obtain favors of the Government. They prated much of the extravagance of the State Executive, accused him of corruption in his civil and military appointments, and of a desire to oppress the people of the State by onerous taxation.

Congress, having passed an act increasing the taxes, and creating an internal revenue by means of "direct taxation," and the sale of licenses, and the direct tax to be raised having been apportioned among the several States, Indiana's share amounted to \$904,875.33. And notwithstanding Governor Morton, by extraordinary perseverance and good engineering, succeeded in setting off this extra tax with the debt due the State from the Government, for the advances made by the former to aid the latter in equipping and supplying the Indiana volunteers, yet the charge, though known to be false



by those who made it, was reiterated, time and again, that he was endeavoring to have imposed upon the people an oppressive tax.

It was particularly charged by the members of the order to which allusion has been made, that the Governor was guilty of corruption in the appointment of the first State Quartermaster-General, although it was known that that officer had been a life-long democrat, and that most of his contracts were let to democrats, some of whom were even opposed to the war. According to the report of Quartermaster Vajen and the report of the Congressional Committee, who had the proceedings of the Quartermaster under consideration, all the contracts given during his administration were let to the lowest, responsible bidders, without reference to party; but it so happened that, in the letting of many of the most profitable contracts, democrats were the lowest bidders. But men intent upon working the ruin of one who stands prominently in the way of the promotion of their interests, hesitate not to use falsehood when it promises to subserve their ends. Not only so, but they will, when occasion requires, sacrifice their former best friends for the same purpose. And so, when the allies of the "K. G. C." set themselves about the task of slandering Governor Morton, they not only used the basest falsehoods to that end, but did their utmost to destroy the official reputation of Quartermaster Vajen, merely because he

was the appointee of the Governor, notwithstanding his political antecedents were all democratic, and his administration unexceptionable.

These individuals even accused Governor Morton of secretly appropriating to his own use, the county and personal donations made to soldiers in camp, although it was well known that, when certain regiments, to whom large bounties had been promised, had refused to obey marching orders, the Governor borrowed, upon his own responsibility, six hundred thousand dollars and paid these bounties. And that he had done this at a time when the Government finances were very low and without the promise of reimbursement. This single advancement was more than sufficient to cover all the donations ever made to Indiana troops, four times.

To discover and thwart the secret schemes of the secret aiders and comforters of treason in the State of Indiana, became, at an early period in 1862, a paramount object with Governor Morton. He employed numerous secret agents to ascertain the whereabouts of "K. G. C." castles, to discover the leading members of the order, and thus prepare the way for its ultimate exposure and destruction. The success of his plans and operations in this direction is well known to the country.

Early in the spring of the year of which we now write, the intelligence reached Governor Morton that two Indiana regiments at Fort Pillow were in a suffering condition. The carelessness and stupid-

ity of certain military officials had caused these regiments to come to almost utter destitution as it regarded clothing, and all the efforts of their colonels to induce United States army officers to provide for their necessities were unavailing.

The Governor, seeing the condition of things, without delay, set himself about an investigation of the matter, with the determination of providing for the suffering troops himself, in case the desired end could be accomplished in no other way.

The telegraphic correspondence we here insert, shows the earnestness and determination with which he ferreted out the causes of the abuses, and also the difficulties with which he had to contend in relieving the wants of the sufferers.

We copy from the *Indianapolis Journal*:

#### THE CONDITION OF INDIANA TROOPS, AT FORT PILLOW, AND ITS CAUSE.

We copied, the other day, a paragraph from the *New York Tribune* depicting and lamenting the destitute condition of two Indiana regiments at Fort Pillow, Colonel Fitch's and Colonel McLean's, and briefly stated the cause, in order that the public might see that the suffering was not the result of any inattention or indifference on the part of the State authorities. Some strange perverseness on the part of Gen. Pope, as inexplicable as it was abominable, was the sole cause of the trouble. In justification of our State authorities, and to place the blame of the

suffering and death, which the destitution produced among these men, where it belongs, we publish, below, the correspondence on the subject, after Colonel Fitch had failed to obtain clothing in the regular way, and had appealed to the State authorities :

INDIANAPOLIS, March 29, 1862.

*Major General Halleck, St. Louis, Mo. :*

I learn that the 46th, Col. Fitch, as well as other Indiana regiments at New Madrid, Mo., are much in need of clothing. Would there be any objection to our forwarding a supply from here ?

W. R. HOLLOWAY,  
Governor's Private Secretary.

HEADQUARTERS, ST. LOUIS, Mo.,  
March 29, 1862.

*W. R. Holloway, Private Secretary :*

Quartermaster's department here and at Cairo is well supplied with clothing, which will be issued on requisition.

H. W. HALLECK,  
Major General.

INDIANAPOLIS, March 30, 1862.

*Capt. Bradshaw, Quartermaster, Cairo, Ill. :*

Indiana regiments under Colonel Fitch at New Madrid want new uniforms. Halleck says you have plenty. Will you supply the regiment immediately ? We have thousands here. Answer.

W. R. HOLLOWAY, Private Sec.

INDIANAPOLIS, March 29, 1862.

*Colonel G. N. Fitch, Point Pleasant, Mo., via New Madrid :*

General Halleck says the quartermaster at Cairo has plenty of clothing. Send Dykeman there immediately. I have telegraphed Captain Bradshaw to supply you immediately if possible. Advise me when you get it.

W. R. HOLLOWAY,  
Private Secretary.

This dispatch was either suppressed at Cairo or by General Pope at New Madrid, Mo., Col. Fitch never received it.

CAIRO, March 30, 1862.

*W. R. Holloway, Governor's Secretary :*

Can not uniform a regiment in full. Clothing mostly sent up the Tennessee river.

J. M. BRADSHAW, A. Q. M.

INDIANAPOLIS, March 31, 1862.

*Major General Halleck, St. Louis, Mo. :*

Captain Bradshaw, assistant quartermaster, at Cairo, telegraphs me that he has not uniforms enough to supply one regiment. All have been sent up Tennessee river. I am informed that the five Indiana regiments under General Pope are ragged, and suffering for clothing. They say they have made frequent requisition and cannot get clothing. They can be supplied from here promptly. Please answer.

W. R. HOLLOWAY,  
Private Secretary.

HEADQUARTERS, ST. LOUIS, MO.

March 31, 1862.

*W. R. Holloway, Governor's Secretary:*

The quartermaster has an abundance of good clothing, and fills every requisition as soon as it is sent in.

H. W. HALLECK,

Major General.

INDIANAPOLIS, March 31, 1862.

*Major Allen, Chief Quartermaster, St. Louis, Mo.:*

Have you any requisitions on file from the Indiana regiments under General Pope? I am reliably informed that they are much in need of new uniforms. We could furnish them from here. And would prefer to do so if there are no objections.

W. R. HOLLOWAY, Governor's Priv. Sec.

ST. LOUIS, April 1, 1862.

*W. R. Holloway, Governor's Secretary:*

We have no requisition for clothing from Indiana regiments.

ROBERT ALLEN,

Major and Quartermaster.

INDIANAPOLIS, March 31, 1862.

*Col. G. N. Fitch, 46th regiment Indiana Volunteers,  
Point Pleasant, Mo., via New Madrid:*

I have done everything that is possible to induce Gen. Halleck to allow your wants to be supplied from here. All I can get from him is that requisitions are promptly filled. He says there are no requisitions on file from Indiana regiments. Can't you send your quartermaster to St. Louis and try

there? Please let us know the result. If you can not get them there we will take the responsibility and supply you; no matter about consequences.

W. R. HOLLOWAY, Governor's Priv. Sec.

INDIANAPOLIS, April 5, 1862.

*Major General H. W. Halleck, St. Louis, Mo :*

I am reliably informed that the 34th, 43rd, 46th and 47th Indiana regiments under Gen. Pope at New Madrid, are still suffering for shoes and clothing; that they have made frequent requisitions to no purpose. Will you see that they are supplied?

Answer.

O. P. MORTON,

Governor of Ind.

HEAD QUARTERS, ST. LOUIS, April 5, 1862.

*Governor O. P. Morton, Indianapolis, Ind. :*

Plenty of supplies at Cairo. Will inquire into the matter.

H. W. HALLECK,

Major General.

These dispatches were also suppressed at Gen. Pope's head quarters, and never handed to Col. Fitch. Gov. Morton, not hearing from Fitch, sent an agent to New Madrid with a copy of the above telegram. Col. F. had frequently requested the privilege of sending an agent to St. Louis for the above supplies, and had the application endorsed by Gen. Palmer, but when the application reached Gen. Pope's head quarters, he endorsed it, "NOT GRANTED, *Jno. Pope, Major General commanding.*" General Pope was aware of the ragged and destitute condition of our

troops, and instead of assisting them and endeavoring to have them supplied, he positively refused, and our men were compelled to remain in their destitute condition until Gen. Pope was ordered to Pittsburg Landing. About this time Gov. Morton sent his private secretary to Fort Pillow where the regiments were then stationed, to see if they had been supplied, and, if they had not been, instructed to get requisitions for the articles required, in order that the supplies might be sent from here. The day before Mr. Holloway arrived there, Col. Fitch had sent a lieutenant to Gov. Morton, asking that the clothing be forwarded. Mr. H. brought duplicates of the requisition, and the clothing was promptly forwarded; but before it arrived many of the men were shoeless and almost naked. The public will see that the responsibility rests where it belongs.

When Gen. Pope was ordered to join Gen. Halleck, he left the Indiana regiments under his command, with one exception, remaining on board their transports near Fort Pillow, where they could do nothing, taking all the Illinois regiments with him. Again: The Indiana regiments did all the fighting that was done at New Madrid, Point Pleasant, and Riddle's Point. They dug the rifle pits, threw up the breast works, and dragged the seige guns through the mud and swamps from New Madrid to Point Pleasant; kept the enemy from escaping down the river; sunk one of their wooden gunboats, and laid in the rifle pits day after



day, without shoes, and with coffee sacks tied around their bleeding feet. Yet, for all of their services, Gen. Pope never so much as even noticed them in his official report.

He ignores the State, snubs her colonels, and uses the influence of his position to keep them down. This may be all right, and according to those mysterious military rules which turn up in justification of wrongs and outrages upon the men in the most inconsistent and contrary cases; but we fancy the people of Indiana won't 'see it,' and will recollect it."

We have quoted thus lengthily from the journal, no less to show the feeling of jealousy which existed between the States respecting the reputation of their troops, than to present another of the multiplied acts of the Governor of Indiana in behalf of the soldier.

The Governor was never, at any time, less mindful of the reputation of Indiana volunteers than of their comfort. All his actions with reference to the enlistment of troops and the provision of arms and equipments, from the commencement of the war to the present, show that the successes of Indiana troops were his successes, that their glory was his glory, and that he regarded anything reflecting upon them as reflecting upon him.

The disposition of certain generals to ignore the efficiency of Hoosier volunteers and snub their offi-

cers, as mentioned by the *Journal*, caused Governor Morton the deepest mortification, and ultimately aroused him no little of the spirit of resentment; and his correspondence with certain Government officials, shows that he was determined that no foul slander should rest upon the Indiana troops, and in this, he was, and has been, eminently successful.

## CHAPTER IX.

Precarious condition of Indiana at commencement of 1863.—Leprous character of Indiana Legislature — Governor Morton's message to that body, etc., etc.

Perhaps no State was ever in a more precarious condition, than was Indiana at the commencement of the year 1863.

The secret enemies of the Government mentioned in the preceding chapter, by dint of almost superhuman efforts, and by the use of every means, fair and foul, had succeeded in the election of what was then and has since been known as the butternut ticket; the Indiana Legislature was principally composed of men sworn to oppose, to the bitter end, the prosecution of the war, and to leave no effort unmade to divest Governor Morton of his military authority and his glory; of men who, by deceiving the people respecting the motives of the Administration, had placed themselves in power for the sole purpose of thwarting the plans of the Government, and encouraging the enemies of American liberty in their work of rebellion and destruction.

The Governor of Indiana, heeding not the vile slanders and base misrepresentations of his copperhead foes, still kept in view only the preservation of his Government and the welfare of the soldier.

Soon after the meeting of the Legislature of this period, the Governor transmitted to that body the following message, which in its comprehensive views touching the duties of the Legislature to the soldier, and its minute details of the proceedings of the Executive department, is one of the ablest state papers of modern times.

*To the Senate and House of Representatives of the General Assembly of Indiana:*

In the Message which I am about to read in your hearing, I will endeavor to present a brief but comprehensive and intelligent outline of the operations of the State government for the past two years, and the present condition of the State.

#### NUMBER OF TROOPS.

The following statement will show as near as the data in the Adjutant General's office will enable me, the number of troops Indiana has furnished to the United States in the prosecution of this war.

*Under the call for 75,000, April, 1861.*

6 regiments of infantry—3 months' service.

*Under the call for 500,000, July, 1861.*

2 regiments of infantry—12 months' service.

47 " " " 3 years' "

4 companies " 3 " "

3 regiments of cavalry—3 " "

18 batteries of artillery—3 " "

*Under the calls of July, 1862.*

1 regiment of infantry—	12 months' service.
30 " " "	3 years' "
6 companies " "	3 " "
2 regiments " "	3 months' "
1 regiment " "	30 days' "
1 regiment " "	60 " "
2 reg'ts Indiana Legion—	3 months' "
2 " of cavalry,	3 years' "
9 batteries of artillery,	3 " "

In all, 98 regiments of infantry and cavalry and 27 batteries of artillery, and comprising ninety-five thousand eight hundred and sixty-seven officers and men.

To this number are to be added 6,831 recruits, who joined old regiments and batteries in the field, making in all 102,698 men. The above does not embrace all who are enrolled, or who left the State and joined regiments and batteries in other States, but only such as were actually mustered into the service in the State of Indiana.

## THE DRAFT.

On the 7th day of July, 1862, the President of the United States called for 300,000 additional volunteers. On the 5th day of August, 1862, he called for a second 300,000, to be raised by a draft, if enough volunteers could not be procured. Under each call the quota of Indiana was fixed by the War

department at 21,250 men, making 42,500 men. By the 20th of September both of these calls had been filled by volunteers, except 6,060, for which number it became necessary to draft. The number of men to be drafted was apportioned among the townships, giving credit to each township for all the volunteers previously furnished. When the enrollment was completed it was found that 635 townships had furnished the number required of them, leaving the deficiency to be supplied by the remaining 334 townships. The quota of each township was assigned on the 20th of September, and the draft took place on the 6th day of October. The privilege of volunteering to supply the deficiency was continued up to the time of the draft, at which time the number required by draft was reduced to 3,003, for which number the draft was made. The draft was conducted throughout the State without interruption or disturbance, except in a single instance, and at the time fixed the drafted men, with few exceptions, reported themselves in camp for service.

It affords me pleasure to state these facts as evidence of the prompt and quiet obedience with which the people of Indiana submit to law and the demands of the Government.

The Constitution of Indiana provides that no person conscientiously opposed to bearing arms shall be compelled to do militia duty, but such person shall pay an equivalent for exemption. As the draft

was upon the militia of the State, all persons included in the constitutional provision were entitled to its benefit. The Legislature had omitted to prescribe any amount for the equivalent, and Assistant Adjutant General Buckingham, of the War department, under whose supervision the draft was conducted throughout the United States, fixed the sum at \$200, which was supposed to be the ordinary amount required at that time to hire a substitute. The draft was made under the 1st section of the act of Congress of July 17th, 1862, which authorized the Secretary of War, where there is no State law, or where the State law is deficient, to adopt such rules and regulations in regard to calling out the militia as he may deem best.

The whole number who established their claims to the benefit of the constitutional provision was 3,169, as is shown by the report of the commissioner. A portion of these took exceptions to the plan adopted by Mr. Siddall, the commissioner of drafting, by which it was determined how many, and by whom, the equivalent should be paid, and to the amount of the equivalent itself. An appeal was taken from his action in the premises. As the Constitution and laws of Indiana make no provision beyond the fact that persons conscientiously opposed to bearing arms shall not be compelled to do military duty, and as the authority by which the draft was made was derived solely from the act of Congress, and the action of the War department,

I referred the questions involved at once to the decision of Assistant Adjutant General Buckingham. After mature deliberation, he decided that as the exemption was made by virtue of the Constitution of the State only, the War department had no authority, and could confer none upon the executive of the State, to enforce the collection of the equivalent, or determine its amount.

In the correctness of this decision I fully concur, and therefore refer the whole matter to the Legislature as a proper subject for its consideration.

I appointed J. P. Siddall, Esq., a commissioner, under whose direction and supervision the draft was made. His duties were novel and difficult, but were performed with great promptness and ability. His report is herewith submitted.

#### SIX REGIMENTS.

At the extra session of the Legislature, an act was passed authorizing the organization of six regiments of State troops, enlisting for the period of twelve months. These regiments were raised, and shortly after their organization four of them were permitted to reorganize and enter the service of the United States, for three years or during the war; the remaining two were subsequently transferred to the service of the United States, under a provision in the act authorizing such transfer to fill the requisition for troops made by the President of the Uni-



ted States, the General government assuming all expenses incurred in their organization and support.

### SUPPLIES.

During the first five months of the war there was no Federal quartermaster in this State, and the General government furnished no supplies of any kind for the equipment of Indiana troops, but all necessary supplies were furnished by the State.

The State has also furnished large supplies from time to time, since that, where they were required for the health and prompt equipment of our troops, and where the Government had failed or was unable to furnish them in time.

### STATE ARMS.

When the war began the stock of arms on hand belonging to the Government, was small and generally of a very inferior quality. It was due to the lives and honor of the brave men who went to the field; to the character of the State and the success of our cause, that our troops should be furnished with the best arms that could be procured. Accordingly, I sent my agents into the market from time to time, and purchased the best arms that could be obtained upon fair terms, and this I continued to do until such time as the Federal government requested the States to desist from the further purchase of arms, alleging that it increased the competition and raised the prices, and declaring that it would supply

all troops, and would pay for no more arms purchased by the State. With the exception of a few thousand, all the first class arms in the hands of Indiana troops were purchased by the State; but it has been a source of great trouble and mortification that a large portion of our troops, despite of all efforts made, have been supplied with arms of an inferior quality.

In the months of August and September last, the rebel army entered Kentucky, and the war was brought to our very border; the Ohio river was low, and could be forded in many places by cavalry, and even infantry, and the peace of the State was seriously threatened. In this emergency, I believed it to be my duty to purchase 10,000 superior arms for the use of Indiana troops, and I sent an agent to New York, who succeeded in purchasing that number of the first quality at fair prices. Mr. D. R. Martin, president of the Ocean Bank, without requiring any security, and upon the credit of the State, advanced the money to pay for them, in all \$237,269 30. Shortly after the purchase of the arms, the rebel forces were driven from Kentucky, the tide of war flowed back from our borders, and the danger so seriously threatening the State passed away. At that time we had in the State about 8000 troops preparing for service, but who were unarmed, and no arms had been provided for them at all proper to be taken to the field. I therefore put these arms in their hands upon a special agreement of the

Government, to pay for them at once. There was a delay of a few weeks in getting the warrant through the departments at Washington, but the Government has now paid the principal, but not the interest; the officers of the Treasury alleging the want of authority to pay the interest.

#### ARSENAL.

When our first regiments were ready to take the field, they were unprovided with ammunition, and as none could be readily procured, it became necessary to have it prepared. Mr. Sturm, now the lieutenant colonel of the 54th regiment, was engaged for that purpose. He had studied the art in Europe, and was thoroughly instructed in all its details. He succeeded well in the enterprise from the beginning, and his ammunition was pronounced the very best in use. Thus was the arsenal established, and as the demand for ammunition daily increased, and the necessity so far from passing away became constantly greater as the war progressed, what was first intended as a temporary convenience, became a large and permanent establishment. Lieut. Col. Sturm continued at the head of the establishment, managing it with great success and ability, preparing ammunition of every description for artillery and small arms, not only supplying our own troops when going to the field, but sending immense quantities to the armies in the West and South. In several emergencies, the

armies of the West and South were supplied from here, when they could not procure it in time from other arsenals, and serious disasters thereby avoided.

Shortly after the arsenal was fully established, it was brought to the attention of the War department, and the ammunition having been thoroughly tested, the Government agreed to pay for what had already been issued, and to receive and pay for what should be prepared thereafter, at prices which were mutually satisfactory to both parties. These prices were generally below what the Government paid for ammunition, but such as it was believed would fairly indemnify the State for all costs and expenses incurred on that account. Every effort was made to conduct the operations of the arsenal with great economy, while paying a fair price to the many operatives employed. Persons have been employed sometimes to the number of five hundred, and profitable occupation has thus been furnished to many who otherwise would have wanted the means of support. My direction to Col. Sturm was, to give the preference to those whose relatives and supporters were in the field.

Up to the first day of January, 1862, there has been prepared at the arsenal 92,000 rounds of artillery ammunition, and 21,915,500 rounds of ammunition for small arms.

The report of Lieut. Col. Sturm, herewith sub-

mitted, will show the extent and the result of the operations in the arsenal.

An examination of the arsenal account will show that the State has not lost a dollar by it. The prices fixed for the ammunition were intended merely to cover all costs and expenses incurred in its preparation, but by economy and successful management, a balance will be found in favor of the State.

#### QUARTERMASTER AND COMMISSARY GENERAL.

The first quartermaster general I appointed after the beginning of the war, was General Thomas A. Morris. He held the office but a short time, when he resigned, and was succeeded by Gen. John H. Vajen, who remained in office till March 12th, 1862, when he resigned and was succeeded by Gen. John C. New. On the 13th day of October, 1862, Gen. New resigned and Gen. Asahel Stone, the present acting quartermaster general, was appointed. The reports of these several officers are herewith submitted.

Gen. Isaiah Mansur, the first commissary general, resigned on the 29th day of May, 1861, and was succeeded by Gen. Asahel Stone, who has held the office since. Their reports are herewith submitted.

The operations in the quartermaster and commissary departments have been large, involving many contracts, and the disbursement of large sums

of money. They are a proper subject for legislative investigation, to ascertain whether they have been well and faithfully performed.

#### CARE OF THE SICK AND WOUNDED.

Shortly after the war began, it became apparent that our sick and wounded soldiers, when all had been done for them that could be by regimental and hospital surgeons, under the regulations, must in very many cases, suffer greatly from want of attention, and necessary supplies. Accordingly, I very early adopted the plan of sending agents to look after the condition, and as far as possible supply the wants of the Indiana troops. These agents had their instructions to follow in the track of our armies, to pick up the sick and the wounded who may have fallen by the wayside, visit the hospitals, report the names of the sick, wounded and dead, afford relief wherever it could be afforded, inform the State authorities what kind of supplies were needed and where, visit the troops in the field and ascertain their wants and condition, and aid in having their requisitions for supplies promptly filled. These agents have generally performed their duty well, and I believe, have been the instruments of saving the lives of hundreds of our gallant soldiers, and of relieving a vast amount of suffering and destitution. Many of their reports, all of which are herewith submitted, are descriptive of sufferings, sorrows and death, that would melt the stoutest

heart, and show better than can be learned in any other way, the dreadful horrors of war. The labors of these agents were not confined to any particular duties, but extended to every kind of relief that soldiers might need. They aided in procuring furloughs for the sick and wounded, discharges for such as would not be able to serve again, in furnishing transportation at the expense of the State for such as had not the means of travel, and getting home; receiving the soldiers' money and distributing it to their families, hunting up the descriptive rolls for such as had been long confined in hospitals, but for want of their rolls could not be paid or discharged, visiting battle-fields, bringing home the wounded, and distributing sanitary stores. In some cases I directed the chartering of steamboats for the transportation of the sick and wounded, and in general, instructed my agents to incur such expenses as were absolutely necessary to enable them to execute their mission. But notwithstanding all that has been done, I have to lament that the efforts have come far short of the mighty demand; that much suffering has gone unrelieved, and that many of our brave sons have languished and died among strangers, in destitution and neglect, with no friend present to soothe their last hours, or mark the spot where their ashes sleep.

I have employed and sent to the field many additional assistant surgeons, to remain until the emergency they were sent to relieve had passed. After

severe battles, the regimental surgeons, worn down by fatigue and exposure, were found to be inadequate to the care of the wounded, and additional aid became indispensable.

Many times all the surgeons of a regiment were either sick or absent on detached duty, and their places had to be supplied by temporary appointments. They have generally discharged their duty with ability, and to the satisfaction of those to whom they were sent, and for the promptitude with which they left their business and responded to these sudden calls, are entitled to the thanks of the State.

After the battle of Shiloh, and in anticipation of the conflict to come off at Corinth, I applied to the Secretary of War for permission to appoint two additional assistant surgeons to each regiment in the grand army of Major General Halleck. The permission was granted, under which I sent about seventy surgeons to that army, and I am gratified to believe that this movement led to the amendment of the law by which a third surgeon was added to each regiment, a measure greatly needed.

I have also established at Washington, Louisville, Nashville, Memphis, Cairo and Columbus, Ky., permanent agents, who have rented houses and kept public offices, where sanitary goods are deposited for distribution, and to which soldiers can resort for relief. These agencies are found to work well, and are accomplishing a great deal of good. Permanent agents have been employed at Philadelphia,



St. Louis, Keokuk and New York, for the relief of such Indiana soldiers as may be carried to those points.

The number of soldiers passing through this city, to and from the army, or coming here to procure discharges and furloughs, made it necessary to provide quarters where they could receive lodging and subsistence during their stay. Accordingly I procured the erection of a "Soldier's Home," which has been, in the main, well managed, and has been the source of relief and comfort to thousands.

While upon this subject, it is with great pleasure that I lay before you the report of Dr. Hannaman and Alfred Harrison, Esq., the president and secretary of the Sanitary Commission.

The Commission began its operations regularly on the 1st of March, 1862, and up to the 1st of January, 1863, had received from various sources in goods and money, the sum of \$66,088 51. During the same period they have supplied to sick and wounded Indiana soldiers \$60,379 31, in such articles as were best suited to their wants and condition, leaving a balance in their hands of \$2,942 80 in goods, and \$2,768 40 in money.

I avail myself of this opportunity to tender on behalf of the State, to the officers of the Commission, and the gentlemen associated with them, my sincere thanks for the unremitting industry and devotion with which they have labored without

reward or the hope thereof, in this great work of patriotic benevolence.

The above statement only embraces those supplies of stores and money which have passed through the hands of the Commission, and does not include those large but irregular contributions which flowed through so many other channels for the relief of our sick and wounded soldiers.

The greater part of all the stores, in whatever manner sent, have been contributed by the noble and patriotic women of Indiana. Not only have they contributed most liberally of their money, but they have labored unceasingly with their hands, in preparing those articles so necessary to the comfort and recovery of the sick and wounded.

They have their reward in the inexpressible gratitude that swells the hearts of the brave men who are the recipients of their deeds of mercy. On this subject I quote a brief extract from the report of the Commission. "The committee desire to express in the strongest terms, their gratitude to the women of Indiana who have responded, with all the enthusiasm and generosity of their sex, to the calls of the committee; they have in fact done the work, by their labors, their contributions and their example; the committee have been merely their agents in receiving and dispensing the fruits of their unbounded liberality. The same work and labor of love is still before them, and the same spirit which has so far actuated them will no doubt continue to fur-

nish occupation for the Commission so long as the occasion requires it.”

Immediately upon the first establishment of camps in this city, the treatment of the sick was committed to the care of Drs. Kitchen and Jameson. I subsequently authorized the establishment of a hospital here, known as the “City Hospital,” under the care and direction of the same gentlemen.

Their administration has been highly successful and satisfactory, and the hospital is justly regarded as one of the very best in the United States. The whole number of patients treated at this hospital, from May 1, 1861, to January 1, 1863, was 5,495.

Your attention is invited to the report of Drs. Kitchen and Jameson, and to the just acknowledgment therein made of the services of the “Sisters of Providence.”

#### WAR LOAN.

By an act of the Legislature, approved May 13, 1861, the Governor was authorized to issue bonds to the amount of \$2,000,000, bearing interest at the rate of 6 per cent. per annum, payable semi-annually, and falling due 20 years after date, and Hugh McCullough, James M. Ray and John H. O’Boyle, Esqs., were appointed a board of loan commissioners to negotiate their sale.

Hugh McCullough, Esq., having failed to accept the position, I appointed Jesse J. Brown, Esq., to fill the vacancy. The report of the operations of

the board is herewith submitted, from which it will appear that the bonds were sold on terms favorable to the State, in view of the then depressed condition of the money market, and when compared with the sale of other Western securities. Of the whole amount sold, \$1,225,500 remains outstanding, and are a debt against the State. The remainder having been redeemed at the same price at which they were sold, adding only interest for the time they were outstanding. To provide for the payment of this debt, a tax was levied, the proceeds of which, it is estimated, will extinguish it in four years.

#### NATIONAL DIRECT TAX.

By the 6th section of an act of Congress approved August 6th, 1861, a direct annual tax of twenty millions of dollars was levied upon the United States, and apportioned among the several States.

The apportionment devolved the payment of \$904,875 33 on the State of Indiana.

By the 53d section of the act it was provided that any State might assume, assess and collect its portion of the tax and pay the same into the Treasury, and if thus paid on or before the last day of June of the year for which it was levied, should entitle such State to a deduction of fifteen per cent. of the gross amount to be paid by such State. The section further provides that notice of the intention of the State to assume and pay her portion of the

tax, without the intervention of the Federal officers, must be given to the Secretary of the Treasury by the Governor, or other proper officer, on or before the second Tuesday of February of each year in which the tax is to be paid. The section also contains this proviso: That the amount of direct tax apportioned to any State shall be liable to be paid or satisfied in whole or in part by the release of such State duly executed to the United States, of any liquidated and determined claim of any such State, of equal amount against the United States; Provided, that in case of such release, such State shall be allowed the same abatement of the amount of such tax as would be allowed in case of the payment of the same in money.

From the very beginning of the war, the State was compelled to advance large sums of money to equip and supply our volunteers, and, in fact, furnished supplies of every kind until the fall of 1861; and it was believed shortly after the passage of that act, that our advances, over and above all reimbursements, would soon be sufficient in amount to set-off the amount of tax apportioned against the State. Accordingly I opened a correspondence with the Secretary of the Treasury on the subject, and ascertained from him that the advances made by the State on behalf of our troops would be regarded as a "claim" within the spirit and meaning of the act, and would be admitted in payment of the tax to an amount which should be found due on settle-

ment. After consultation with the Auditor, Treasurer and Secretary of State, and in conjunction with them on the —— day of December, 1861, I filed in the office of the Secretary of the Treasury at Washington, a paper officially signed, of which a copy is herewith transmitted, in which we assumed that the State would pay her portion of the direct tax without the intervention of Federal officers, and proposing to set-off against the same a like sum due to the State for advances made in furnishing our troops, and to release the United States from further liability for the sum thus set-off and advanced against the tax. This paper was accepted by the Secretary of the Treasury, who thereupon declined to appoint the officers provided by the law to collect the tax within this State. On the —— day of January, 1862, Mr. Lange, the Auditor of State, proceeded to Washington with the papers and vouchers embracing our claims against the Government up to that time, for the purpose of making settlement. He found, however, that the mode of settlement with the several States had not been determined upon, by the Treasury department, and that the press of business in the department was such as to prevent the taking up of our accounts. He was directed to file them in the department, to be taken up for adjustment whenever they could be reached. It then became obvious that our accounts would not be settled and adjusted by the last day of June, 1861, so as to be "liquidated and determined" within the

meaning of the act of Congress, as before quoted, and that, after all, our set-off against the tax was about to fail.

Accordingly, I brought the matter to the attention of our congressional delegation, and asked them to procure, if possible, such legislation as would facilitate the settlement of our accounts, and if that could not be done, to procure an extension of the time in which accounts could be filed and settlements made, so that the advantage of the set-off need not be lost. After much trouble and delay, they procured the passage of an act, which was approved on the 13th day of May, 1862, the concluding part of which is as follows: "Provided, that in case of such release, such State, Territory or District shall be allowed the same abatement of the amount of such tax as would be allowed in case of the payment of the same in money, shall be construed as applying to such claims of States for reimbursement of expenses incurred by them in enrolling, subsisting, clothing, supplying, arming, equipping, paying and transporting its troops employed in aiding to suppress the present insurrection against the United States, as shall be filed with the proper officers of the United States before the thirtieth of July next. And in such cases the abatement of fifteen per centum shall be made on such portion of said tax as may be paid by the allowance of such claims, in whole or in part, the same as if the final

settlement and liquidation thereof had been made before the thirtieth of June."

This act healed the difficulty, and under it we have filed with the proper officers, anterior to the 30th of July last, claims against the United States, due to the State, more than enough to cover the amount of tax due from the State, after deducting the fifteen per cent. from the gross amount.

By this operation, the State has saved fifteen per cent. of the original amount, which is \$135,731 30, reducing the amount from \$904,875 33 to \$765,144 03, and the latter sum is set-off and paid by our advances. The arrangement is mutually advantageous to the State and General government. It would do the Government no good to draw a large amount of money from the people of the State for taxes, while she was debtor to the State to a still larger amount, which indebtedness must sometime be paid by money raised by taxation. Besides this, the Government was in no condition to reimburse the State in the full amount of her advances, and if these advances were not used to pay the direct tax, the tax must have been collected from the people of Indiana immediately, while the advances would, in all probability, remain as a suspended debt for years to come, on which the Government, if it followed former precedents, would pay no interest. I respectfully recommend that the Legislature approve my action, and that of the State officers, in the premises.



At the last session of Congress, the operation of the act levying the direct tax upon the States was suspended for three years.

### WAR EXPENSES.

The whole amount of expenses incurred on account of the war, by the State, is one million nine hundred and sixty-nine thousand two hundred and forty-eight dollars and thirty-six cents (\$1,969,248.36). The whole amount paid is one million eight hundred and twenty-two thousand nine hundred and sixty-eight dollars and forty-nine cents (\$1,822,968.49). Leaving unpaid and outstanding on the 1st day of January, 1863, claims amounting to one hundred and forty-six thousand two hundred and seventy-nine dollars and eighty-seven cents (146,279.87), all of which have been duly audited and certified by the military auditing committee.

The account of the State against the United States for expenses incurred for war purposes, to January 1, 1863, stands as follows:

Total amount of expenses incurred.....	\$1,969,248 36
Government draft returned to U. S. Treasury.....	68,701 60
Total,.....	<u>\$2,037,949 96</u>

On this account, the United States are entitled to the following credits:

Proceeds of \$450,000 treasury notes.....	\$432,639 30
Paid by U. S. quartermaster.....	196,728 16
Paid on account of ammunition.....	279,803 71
Direct tax of 1861, deducting 15 per cent, 769,144 03	<u>769,144 03</u>
	<u>\$1,678,315 20</u>
Leaving due from the U. S. Jan. 1, 1863.....	\$359,634 75

In the account against the United States, are included expenditures to the amount of \$43,160.62, for which the State could not claim to be reimbursed under existing laws, but which are an equitable debt against the United States, and to cover which I have no doubt an act of Congress will yet be passed.

### PUBLIC DEBT.

The indebtedness of the State up to the first day of January, 1863, has been increased by the war as follows :

Due on war bonds.....	\$1,225,500 00
Due on military claims.....	146,279 87
	<hr/>
Increase,.....	\$1,371,779 87

The entire public debt of the State now stands as follows :

Five per cent. stocks growing out of adjustment with creditors in 1846.....	\$5,325,500 00
Two and a half per cent. stocks having the same origin.....	2,058,173 50
War debt as above stated.....	1,371,779 87
	<hr/>
In all,.....	\$8,745,453 37

This statement, however, does not include 391 old Internal Improvement bonds of \$1,000 each, said to be outstanding, the holders of which failed to comply with the adjustment made in 1846.

### GENERAL RECEIPTS AND DISBURSEMENTS.

The following statement exhibits the receipts and expenditures by the treasury during the fiscal years

ending October 31, 1861 and 1862, as shown by the reports of the Auditor of State :

Balance in the treasury November 1, 1860.....	\$134,660 39
Receipts for year ending October 31, 1861.....	2,669,264 93
Disbursements for the year ending Oct. 31, 1861...	3,442,510 57
	<hr/>
Balance in treasury November 1, 1861.....	\$361,414 75
Receipts for the year ending October 31, 1862.....	\$3,486,304 55
Disbursements for the year ending Oct. 31, 1862...	2,974,976 46
	<hr/>
Balance in treasury November 1, 1862.....	\$876,474 42

#### GALLANTRY OF INDIANA TROOPS.

While we rejoice in the bravery displayed by all the armies of the United States, it is a subject of profound congratulation that the Indiana troops have behaved with uniform and distinguished gallantry in every action in which they have been engaged. They form a part of every army in the field, and have been among the foremost in deeds of daring, while their blood has hallowed every soil.

The *American Annual Cyclopaedia* justly declares that "the Indiana troops have been perhaps more widely scattered through the different corps d'armée than those of any other State." The same high authority, in another place, speaks of the conduct of Indiana troops in the field as follows: "Whenever they have been engaged in battle they have been eager to advance, steady in the fight, and utterly averse to retreating."

Our troops, hitherto engaged in the peaceful pursuits of trade and agriculture, have manifested that lofty courage and high-toned chivalry of which others have talked so much and possessed so little, and which belongs only to the intelligent patriot, who understands well the sacred cause in which he draws his sword.

Indiana has already made a large investment of her best blood in the cause of this Union, and will never consent to its dismemberment, or to a dishonorable peace. The bones of her sons mingle with the soil from Virginia and Missouri to Louisiana, and she will not confess that the sacrifice has been made in vain, or acknowledge that it was in an unholy cause. Gen. Hackleman, Cols. Brown, Bass, Link, Lieut. Cols. Hendricks, Bachman, Keith, Gerber, Kirkpatrick, Crosswait, Topping and Wolf; Majors Tanner, Gavitt, May, Arn, Abbett and Conklin—and many others, of lower rank, but with valor not less distinguished, have yielded up their lives upon the field that our country might be preserved. Thousands of our private soldiers, with equal courage and patriotism, have fallen, the victims of this unnatural rebellion. They were fighting from deep convictions of duty and the love they bore their country. Their unlettered graves mark an hundred battle-fields, and our country can never discharge to their memory and their posterity the debt of gratitude it owes. Our gratitude should be testified by the tender care we take of their fami-

lies and dependent ones whom they left behind, by the education of their children, and by the honor we pay to their memory.

Nor should we forget those who have perished by disease in the camp or hospital. They were denied the soldier's privilege of dying in battle, but their sacrifice was none the less. To die in the field amid the clash of contending armies and the roar of battle, fighting in a holy cause, is glorious; but when death comes slowly on, in the loneliness and desolation of the hospital, with no mother or sister present to soothe the passing spirit and minister as love only can minister; with none but the rough hand of a comrade to press the clammy brow and perform the last offices to the dying, it is terrible.

#### SOLDIERS' FAMILIES.

Notwithstanding all that was being done by public and private benevolence, toward supporting the families of soldiers, the evidence came to me from every part of the State, that many families were destitute, and that great suffering must ensue during this winter, unless active steps were taken to raise contributions and provide for the needy.

Accordingly, I issued an appeal to the people of the State, a copy of which is herewith filed, stating the necessity and calling upon all who were able to contribute of their means. I am gratified to be able to report, that a very generous response has been made to the appeal, that active measures have

been initiated in many counties in the State, to relieve the necessities and provide for the comfort of the families of our soldiers who have abandoned home and all its endearments to fight the battles of our country. The clergy of the state were especially called upon to engage in the work of visitation and collecting contributions and have, as I am informed, generally responded with zeal and energy.

It is, however, manifest that all efforts will fall short of meeting the necessities of the case, and that legislative aid will be required.

The circumstances by which we are surrounded are novel and extraordinary, and should be met by prompt and extraordinary measures.

I therefore earnestly invite the early and favorable consideration of this subject by the Legislature.

#### LEGION.

At the extra session of the Legislature a militia law was passed, providing for the organization of the Indiana Legion.

Although this law was defective in many respects, and should be amended, yet it provided the frame-work of an organization which has rendered most valuable service during the war. To the officers and men of the Indiana Legion, the State chiefly owes the immunity she has enjoyed from invasion, plunder and murder, by the guerrilla and marauding bands which infested many of the

adjoining counties in Kentucky. Not only so, their aid and protection has been cheerfully and successfully extended to the loyal citizens of Kentucky, when it has been called for. On several occasions they met the enemy in battle, when they ably maintained the credit of the State, and behaved with that distinguished courage which has characterized the soldiers of Indiana throughout this war. Some have fallen in battle, and I earnestly recommend that their families be provided for, and placed on a footing at least equal to the families of those who fall in the Federal service. They also rendered prompt and efficient service in guarding rebel prisoners when the Federal forces performing that duty were called into the field. Although the organization and operation of the Legion have been chiefly confined to the counties bordering on the Ohio river, yet much has been done in some of the interior counties, and among them I would especially notice the counties of Jennings, Decatur, Shelby, Tippecanoe, Putnam, Parke and Vigo. The response which was made from those counties, on sudden calls for military force, was of the most energetic and satisfactory character. For a full account of the operation of the Legion, I refer you to the able and interesting report of Major General Love. Your attention is also specially called to the recommendations contained in his report relative to the amendment of the militia law. It is very important that provision be made presenting induce-

ments to join the Legion, by proper exemptions and payment, and conferring the authority and pointing out the manner, by which the members of companies shall be compelled to attend meetings for drill and respond to calls for service. Such authority is doubtless contained in the law now, but its mode of exercise is not determined. The Legislature appropriated, for the support of the Legion, \$70,000 for the year 1861, and \$70,000 for the year 1862. As will appear from the Auditor's report, only the sum of \$7,352 23 has been expended on these appropriations up to the 31st day of October last. The distribution of the fund among the counties and regiments, as required by the act was never made by the Adjutant General, because of insuperable difficulties growing out of defects in the law, and the organization of the companies. I trust the Legislature will make prompt provision for the payment of all claims growing out of the operations of the Legion, and for a proper distribution of the fund.

Strongly impressed how much the peace and security of the State depended on the efficiency of the Legion, in the month of October, I summoned the officers to this city to receive military instructions in a school temporarily organized and conducted by Major General Love. Some 400 gentlemen were in attendance, and the spirit and devotion manifested by them, and their progress in mili-



tary knowledge, were of the most encouraging and satisfactory character.

#### PROCLAMATION CALLING OUT THE MILITIA.

At the time of the invasion of Kentucky by Kirby Smith, the guerrillas infested the Kentucky side of the Ohio river, from Lawrenceburg to Mount Vernon, and at several points large bodies of rebel cavalry were assembled, and seemed to be awaiting an opportunity to cross the river and invade the State. The river was very low, in many places fordable, and much alarm prevailed in our border counties.

Accordingly, I issued a proclamation, of which a copy is herewith filed, requiring all the able-bodied men, subject to military service, between the ages of 18 and 45, in the counties, bordering on the Ohio river, to assemble at stated periods, with whatever arms they could command, to organize themselves into companies and be instructed in military tactics. This proclamation was very generally acquiesced in, and carried into execution by the people, and was continued as long as the emergency seemed to require. The preparations thus made, in connection with the Legion, for repelling and punishing invasion, deterred the guerrilla and marauding parties, who were plundering and murdering the Union men on the other side of the river, and protected the lives and property of our citizens.

## ADJUTANT GENERAL.

I lay before you the able and interesting report of Adjutant General Noble.

It contains a brief history of the operations of the State in furnishing troops for the prosecution of the war and much most valuable information. I have instructed him to prepare another report, to contain the name of every officer and private soldier who has entered the army from Indiana, with the number of the regiment, company or battery to which he belonged. Such a report would be invaluable hereafter as a work of history.

## STATE AGENCY.

The report of Hon. R. N. Hudson, the Agent of State, is herewith laid before you, and your attention invited to the recommendations contained in it, to change the form of indebtedness, by substituting coupon bonds for certificates of stock, and abolish the office of Agent of State, as at present organized. By the terms of the compromise with the bond-holders, made in 1846, the State is required to keep an office in New York for the transfer of our stocks and the payment of the interest on them. But this agreement can be complied with fully by selecting some responsible bank, in such manner as may be determined upon by the Legislature, to perform the duties that are now devolved upon the Agent of State. Under the present sys-

tem the risk attending the solvency of a bank has to be incurred, for the Agent having no means of safe-keeping the money remitted to him by the Treasurer of State, deposits it in bank, and in payment of interest to the holders of our stocks gives his checks upon the bank.

So much of the business, therefore, being necessarily done through the bank, I am of the opinion that the rest of it could be devolved upon the bank, with increased safety and economy to the State.

In 1846 the State of Indiana made an adjustment with her creditors, under which the former State bonds were to be surrendered and canceled upon certain conditions, and new stocks issued in exchange. Out of this adjustment sprung the Indiana five per cent. stocks, as known in the New York market.

One of the conditions of the adjustment was, that the State should establish an agency in the city of New York for the transfer of these stocks and the payment of the interest upon them.

By express enactment of the Legislature, it was provided that these new certificates of stocks should be transferable only at the agency in the city of New York, on books provided for that purpose. When stock was transferred the old certificate was taken up and canceled, and a new one issued, made payable to the person to whom the transfer was made. These certificates were not payable to bearer, did not pass by delivery from hand to hand, and

were not negotiable in the sense of the law merchant. It was expressly intended they should not be. At and before the time of the adjustment spoken of it was claimed by the State that numbers of her bonds, which had been deposited in New York, or hypothecated for small sums of money, and for which the State had received little or no consideration, had been improperly and fraudulently put into circulation. But as they were genuine, made payable to bearer, and the property in them passed by mere delivery, she could not do otherwise than recognize them as valid obligations. These circumstances led to the peculiar provisions in regard to the new stocks. To carry out the new arrangement, printed forms of the certificates of stocks, signed by the Auditor and Treasurer of the State of Indiana, were deposited with the State Agent, in the city of New York, to be by him countersigned and filled up as to dates, amounts, names of parties, and registered in books provided by the State for that purpose. It is not improper to state here that this form and mode of transfer, before being enacted into a law, was submitted to and received the approval of Charles Butler, Esq., the agent and representative of the bond-holders, at the time of the adjustment referred to, as I am informed and believe. Fears were entertained, however, that by the fraud or connivance of the State Agent, false certificates might be issued and frauds perpetrated. Accordingly, the State Legislature,

by an act which took effect on the 11th day of March, 1859, changed the mode and place of issue of certificates of stock.

By this act it was provided, that thereafter no certificates of stock should be issued by the Agent of State, but that on the presentation to him of certificates for transfer, he should receipt for them, and immediately transmit them to the Auditor of State, at Indianapolis; that the Auditor should cancel them and file them in his office, for preservation and reference, and issue, in the name of the person to whom the transfer was to be made, new certificates of stock, to be signed by him and the Treasurer of State, and after registering them in a book to be provided by the Auditor for that purpose, send them to the Agent of State, to be by him registered and delivered to the proper person, upon presentation of the receipt. The fourth section of this act declares that any certificate of stock issued or transferred in violation of the provisions of the act shall be deemed fraudulent and void as against the State of Indiana. It will be perceived that this act throws additional and, in my opinion, abundant safeguards around the issue of the stock. To avoid the dangers and temptations which this change in the law was designed to guard against, as soon as the new law went into operation, the blank certificates, signed by the officers of State, in the hands of the State Agent, should have been promptly

withdrawn by the officers of State and destroyed. This was not done.

When Col. Hudson, the present State Agent, came into office, early in February, 1861, he found in the office in New York three bound volumes of the forms, which he immediately canceled, by punching a hole through the signature of each form.

#### STOVER FRAUD.

In this connection I invite your attention to the gigantic forgeries of Indiana five per cent. stocks which have been committed in New York.

The Hon. James A. Cravens was elected State Agent in February, 1859. He held the office about nine months, during which time D. C. Stover acted as his clerk. He then resigned, and Mr. Stover was appointed by Gov. Willard, to fill the vacancy. He continued in office under this appointment until February, 1861, when he was succeeded by Col. Hudson, the present incumbent, who had been duly elected by the Legislature. The forged certificates of stock were executed upon the blank forms left in the office of the Agent of State, which had been signed by W. R. Nofsinger as State Treasurer and H. E. Talbott as State Auditor. These gentlemen came into office early in 1855, and went out early in 1857, having served two years. The forgery consisted in falsely filling up the blanks as to dates, names of payees and amounts, and signing the name of James A. Cravens as Agent of State. The

forged certificates, so far as I am advised, bear date in March, April and June, 1859, thus purporting to be executed during the period in which Mr. Cravens was State Agent, though I believe they were executed and issued at a later date. I am informed by Col. Hudson, that the forged certificates were all made payable to Samuel Hallett except about \$100,000 payable to a person by the name of Deschaux. He further informs me that the whole amount issued, so far as he has been able to discover, is \$2,538,000, of which amount \$1,295,000 has been retired and destroyed. Col. Hudson states, that he discovered the existence of this spurious stock in a few weeks after he came into office, and immediately charged the matter upon Mr. Stover, who confessed it all, but said there was only about \$200,000 out, and that if the matter were kept secret, he, and those operating with him, would take up and destroy them, so that nobody should lose anything by them. Col. Hudson further says, not knowing what might be the liability of the State upon these certificates, he deemed it highly important for her interest that they should be gotten off the market and destroyed, and, for that purpose, agreed with them, for the time, to communicate the matter to nobody, without however, giving them any assurance that they should not be ultimately exposed and prosecuted.

The knowledge of this forgery was first communicated to me about the latter part of January last, by Messrs. James M. Ray and Jesse J. Brown, two

of the Loan Commissioners, appointed by the State to negotiate her War Loan.

They had learned it from Mr. Lanier, of the firm of Winslow, Lanier & Co., who had discovered it in some way about the first of December previous. I immediately repaired to New York, and in company with the Hon. John P. Usher, then the Attorney General of Indiana, and Jesse J. Brown, Esq., endeavored to investigate the affair. In the opinion and confidence entertained by Colonel Hudson, and some other gentlemen who had been consulted, that Mr. Stover and those acting with him would retire the fraudulent stocks, I did not share, and was not for that or any other reason in favor of delaying their exposure and prosecution a single hour.

Accordingly, I proceeded at once to place all the facts of which I had any knowledge, in the possession of Mr. Hall, the district attorney prosecuting the pleas of the State for the city of New York.

The crime had been committed in New York, and to the laws and authorities of that State its punishment belonged.

Mr. Hall, after deliberation, and such investigation as he could make, determined that an exposure and prosecution of the parties at that time would be highly inexpedient, and informed me that he took the responsibility of deferring any public disclosure and prosecution until such time as in his judgment it was proper to make them.

Matters thus stood from February until about



the 27th day of May, when learning that the affair had become public in New York, and believing that no reason could exist for further delay in the prosecution, I caused the arrest of Mr. Stover, who was then in this State, and sent him to New York. On his arrest he freely consented to go, and waived all process or formal authority. The Hon. John F. Kibbey, then acting Attorney General, by my direction proceeded to New York, and under the instructions of Mr. Hall, filed a complaint before the grand jury, in the name of the State of Indiana, and demanded an investigation.

The grand jury returned bills of indictment against Stover and Hallett. At the September term of the court in which the bills were pending, the court quashed the indictments against Hallett, on the ground that it was no crime against the laws of New York to forge certificates or obligations purporting on their face to be executed by the State of Indiana. From this decision Mr. Hall has prosecuted a writ of error to the Court of Appeals, but no decision thereon has been had.

The indictments against Stover are still pending. When this forgery was first made public, Indiana securities were suddenly depressed in the market from ten to twenty per cent., but soon after rallied to nearly or quite their former rates.

To avoid all embarrassment in the future, which might arise from the existence of the forged certificates, I recommend that the Auditor of State be

authorized to procure a new plate, differing in form and appearance from the old, upon which new certificates shall be printed, and that the holders of all genuine stocks be requested to surrender them and receive instead, certificates of the new impression.

#### JULY INTEREST ON STOCKS.

Many of the Western States, among them Ohio and Illinois, were making provision in New York, to pay the interest on their debt, in coin, in order to maintain the credit of their stocks.

As the credit of Indiana had received a shock by the development of forgeries of her stocks, and as the circulation of many of the free banks of Indiana was based upon Indiana stocks, it seemed to me especially important, that she should take the same course, in order to assure her creditors and the public that her ability and disposition to pay her debts were in no wise disturbed or impaired by this assault upon her credit. Accordingly, I instructed Mr. Harvey, Treasurer of State, to provide, if he could upon reasonable terms, the coin with which to pay the July interest upon our stocks. This he did, upon the terms, and in the manner stated in his report. The announcement of the purpose of the State to pay her interest in coin, had an immediate and salutary effect in restoring confidence and bringing back the value of our stocks to its former standard.

At the time I directed the payment of the July

interest in coin, the premium on coin was very small, but has since increased so greatly as to forbid the like arrangement for the January interest.

#### COMMON SCHOOLS.

The operations of the Common School system for the past two years have been quite successful. The amendments made to the School law at the last regular session, so far as I can learn, have worked well, and meet with general approval. The report of Prof. Miles J. Fletcher, Superintendent of Public Instruction, for the year 1861, is laid before you, but the report of the present Superintendent, Samuel L. Rugg, for the year 1862, has not been completed. The Rev. Samuel K. Hoshour was appointed to fill the vacancy occasioned by the death of Mr. Fletcher, who held the office until his successor was duly elected and qualified.

#### DEATH OF MILES J. FLETCHER.

The death of Miles J. Fletcher was a misfortune to the State. Possessed of fine talents, highly educated, endowed with every accomplishment that can make a man attractive in society, with a heart full of the warmest affections and the most generous impulses, he united with all these an indomitable energy of character that gave no rest, and ever pressed him forward in the path of duty. His industry was a marvel, and the amount of labor he accomplished wonderful. The duties of his office

he discharged, not scantily as a task, but with a devotion and pleasure that were satisfied only with a full performance. The cause of education he regarded of the first importance, and the vocation and calling of the educator the most honorable and dignified, next to that of the Christian minister. The misfortunes of his country deeply afflicted him, and notwithstanding the delight he took in the performance of his official duties, and his untiring devotion to the education of youth, he would have resigned his office and gone to the field, had he not been dissuaded by his friends, who urged that he could serve his country better in the position he then held. He devoted much time; labor and money to the care of the sick and wounded soldiers. He visited the hospitals and the field of battle to hunt up and minister to the neglected and the dying, and in carrying a wounded man upon a steamboat at Pittsburg Landing, shortly after the battle of Shiloh, suffered a bodily injury, from which most likely he could never recover. When he was killed, he had started upon another mission of mercy to the army. I was standing by his side at the moment of his death, and never before did I have brought home to me in such full force, that saying of the poet, "That in the midst of life we are in death." Had I been asked a moment before who, among all the young men of Indiana, bade fairest for a life of great usefulness and fame, I would have answered, Miles J. Fletcher.

## BENEVOLENT INSTITUTIONS.

The reports of the Boards of Trustees of the Asylum for the Blind, Institution for the Deaf and Dumb and Hospital for the Insane, are herewith submitted. The management of these Institutions for the past two years has been eminently successful and satisfactory. The superintendents have displayed ability and fidelity, as well as the subordinate officers and teachers, and I commend the reports to your especial consideration, and the Institutions to your fostering care and attention.

## PRISONS NORTH AND SOUTH.

At the regular session of the Legislature in 1861, the sum of 10,000 dollars was appropriated for the purchase of materials, and construction of the Northern Prison, located at Michigan city, for the year 1861, and a like sum for the year 1862. At the extra session in 1861, the sum of \$30,000 was appropriated for materials and construction of the Northern Prison, and for the support of convicts, and the payment of the expenses incurred for the month of January, 1861.

At the same session a law was passed for the transfer of 200 convicts from the Southern Prison, at Jeffersonville, to the Northern Prison, but no provision was made for their return in case their labor should not be required. At the same session an act was passed providing that all persons sent to the

penitentiary from counties north of the national road should be confined in the Northern Prison. The work in the construction of the prison was vigorously pressed in the summer and fall of 1861, and it was found necessary, by the board of directors, in order to keep the convict labor employed, to anticipate, and draw upon the appropriation made for the construction of the prison in 1862; so that when the work for the year 1861 was closed up, there remained unexpended of the fund appropriated for the construction of the prison in 1862, but about \$3,000. It was apparent, then, that the labor of the convicts could not be employed in the construction of the prison during the year 1862, for the want of means with which to purchase the necessary materials. The labor of the convicts could not be leased or hired out to contractors for the want of shops in the prison in which they could be employed. To work the convicts out of the prison and about the town, would be so expensive, in the employment of guards, as to make their labor unprofitable; beside there was no authority for doing so, except as connected with the construction of the prison.

As the matter stood, it was inevitable that the convict labor should be almost wholly unemployed throughout the year 1862, and must so continue until the prison shops were constructed, when the labor might be hired to contractors, as in other prisons. If the shops were constructed in 1862, this

labor could be made remunerative through the year 1863, but if not constructed until 1863, this could not happen until 1864. It was evident that the State would sustain a great loss by the delay in the construction of the shops, and accordingly the board of directors convened in this city in February last, and myself and other State officers invited to be present for consultation; and after full consideration of the subject, it was believed by all to be clearly to the interest of the State that the work of construction of the shops should be commenced at the earliest moment, provided the contract could be let at fair prices, and the contractor, being fully advised of the condition of affairs, should be willing to await the action of the Legislature for his pay. The board of directors then proceeded to advertise for proposals for the work, and a public letting was had. I directed Mr. John B. Stumph, of this city, reputed to be an honest and capable builder, to be present at the letting, and see that the contract was properly made, and in accordance with the plans and specifications before that time adopted by the State for the construction of the shops. The contract, I have every reason to believe, was fairly made, upon terms, as I am informed, fifteen per cent. below the original contract for the same work, and at least twenty per cent. below what the same work could now be let for in cash. The shops have been completed, and Mr. Stumph was again directed to examine and measure the work; his

report of the letting, quality and measurement of the work is herewith submitted. In view of the early completion of the shops, the board of directors were able to lease the labor of the convicts upon terms highly favorable to the State. This business is a proper subject for legislative investigation, which I hope will be promptly made, and that means will be speedily provided to pay the contractor the amount which shall be found to be honestly due.

The report of the board of directors, together with that of the warden and superintendent, are herewith submitted. The general administration of the affairs of the prison have been satisfactory, and the board of directors have manifested much zeal and ability in the discharge of the important duties entrusted to them.

The report of the board of directors and warden of the Southern Prison, at Jeffersonville, is herewith submitted. The affairs of this prison, I believe, have been well managed, and I know of no just grounds for complaint. I recommend, however, that the management, condition and wants of both prisons receive the early and thorough consideration of the Legislature.

#### UNITED STATES ARSENAL AND ARMORY.

At the last session of Congress an act was passed, appropriating \$100,000 for the purchase of grounds and construction of buildings, and necessary ma-



chinery for an Arsenal and Armory to be located in this city.

The grounds have been purchased and the construction of the buildings will be commenced, as soon as the Legislature shall have relinquished the jurisdiction over such grounds, so far as required by the laws of the United States.

#### CONGRESSIONAL DONATION.

On the 2d day of July, 1862, the Congress of the United States passed an act donating to each of the States not in rebellion against the Government, an amount of public lands equal to 30,000 acres for each senator and representative in Congress, to which the States are respectively entitled by the apportionment under the census of 1860. This entitles Indiana to 390,000 acres. Whenever there are public lands in the State, subject to sale at private entry at \$1.25 per acre, the quantity to which the State is entitled shall be selected from such lands, but if there are no such lands in the State, or not enough, the Secretary of the Interior is to issue to the State land scrip for the requisite number of acres. This scrip can not be located by the State to which it is issued, but must be sold; but the purchasers may locate it upon any of the unappropriated lands of the United States subject to sale at private entry at \$1.25 or less per acre.

There being no public lands in this State for sale at private entry, held by the Government at \$1.25

per acre, Indiana is entitled to receive her donation in scrip.

This donation is made upon the following conditions: First—That all moneys derived from the sale of lands or scrip shall be invested in stocks of the United States, or of the States, or some other safe stocks yielding not less than five per centum per annum, on the par value.

Second—That the money so invested shall constitute a perpetual fund, the capital of which shall never be diminished, except as hereinafter stated.

Third—The interest on the stocks to be inviolably appropriated by the State, to the endowment and support of at least one college in which the leading object shall be, without excluding scientific and other classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts.

Fourth—If any portion of the fund thus invested shall by any contingency be lost, it shall be fully restored by the State.

Fifth—That no portion of the said fund shall be applied to the purchase, repair, or erection of any building, but that a sum not exceeding ten per cent. of the original amount may be expended for the purchase of sites or experimental farms.

Sixth—No State shall be entitled to the donation, unless the Legislature shall express its acceptance thereof, within two years from the date of the approval of the act by the President.

I recommend that the Legislature promptly express its acceptance of the grant, pledging the faith of the State for the performance of the conditions upon which it is made.

The necessity for scientific instruction in agriculture, is generally acknowledged, and Congress intended by this magnificent donation to provide means for the permanent establishment of at least one efficient agricultural college in each State.

The question presents itself as to the disposition which shall be made of the grant. Shall it be given to the State university, or apportioned among all the colleges in the State, upon such terms and conditions as the Legislature may prescribe; or shall a new institution be created expressly designed to carry out the will of Congress? It may be difficult now to determine the question, from the fact that we can not know how much may be realized from the sale of scrip. If an amount should be realized large enough to endow respectable and successful professorships in each of the colleges now in the State, attaching to them experimental farms, it would perhaps be the best disposition of it that could be made. But if it should not be large enough for such division, which I apprehend will be the case, then I recommend that it be applied to the establishment of an institution for agricultural and military instruction, to which the children of soldiers who shall die in the service during this war, shall be admitted free of charge.

## ATTORNEY GENERAL.

On the 10th day of October, 1861, the Hon. James G. Jones, Attorney General, resigned and accepted a commission in the military service. I immediately appointed the Hon. John P. Usher to fill the vacancy, who served until the 17th day of March, 1862, when he resigned, having been called to the Department of the Interior as Assistant Secretary. The vacancy thus created I filled by the appointment of Hon. John F. Kibbey, who served until his successor was elected and qualified. These officers discharged their duties with ability.

## WEALTH OF THE STATE.

The mineral resources of Indiana are but imperfectly understood. Nearly one-fourth of the whole area of the State is a coal-field, a large part of which is of the finest quality. Excellent iron ore is found in vast quantities in many counties, and although but little worked as yet, will be the source of great wealth and prosperity in the future. Throughout the State, excepting a few small localities, the soil is rich and fertile, capable of producing all the grains and grasses in the greatest abundance. The State abounds in fine timber and living streams of water, and in every respect presents the facilities for an easy and profitable agriculture; while an abundance of coal and water power furnishes the means for manufacturing on the largest scale and cheapest terms. From surveys, geological examinations, and

every source of knowledge open, in reference to the topography and soil of Indiana, I think it safe to say that no State in the Union having an equal number of square miles has less land not susceptible of cultivation. The State is traversed in every direction by lines of railroad well managed and in successful operation. In 1860, there was in the State 2,125 miles of railroad in operation, the construction of which is estimated to have cost \$70,295,148; and it may not be improper to remark that all these roads were built without the aid of grants of land by the Federal government. Yet these roads do not furnish sufficient facilities for the accommodation of the traveling public, and the transportation of the immense productions of the State. Some idea may be obtained of the magnitude of these productions by giving the statistics of a few leading articles as shown by the last census. In 1860 there were produced in the State :

69,641,591 bushels of corn.

15,219,120 bushels of wheat.

5,028,755 bushels of oats.

7,246,132 pounds of tobacco

2,466,264 pounds of wool.

3,873,130 bushels of Irish potatoes.

635,322 tons of hay.

Although the population of Indiana has doubled in the last twenty years, and the general growth of the State in material wealth has been in a like ratio, yet we can not doubt that the increase would have

been far greater but for the operation of certain causes. In 1836 the State embarked in an extravagant and reckless system of internal improvements. To prosecute it, large sums of money were required, and borrowed at heavy rates of interest, and the bonds of the State were in many cases squandered and passed into circulation without any adequate consideration having been received. Many canals, railroads, and turnpikes were surveyed and the construction commenced. But a bad system in the beginning, its prosecution was badly managed, and the result was that in 1846 the State found itself in debt to the amount of \$11,090,000, and not a single work completed, the interest on the debt unpaid, and the credit of the State utterly prostrated. In the mean time many of our citizens, seeing that the money of the State had been squandered while but little had been accomplished, believing that public improvements had been indefinitely postponed, that a cloud was resting upon her reputation, and anticipating high taxes for many years to come, left the State and sought new homes elsewhere. The financial character of the State abroad had suffered greatly. Some supposed the State had repudiated her debts; others that she was hopelessly bankrupt; and others that to recover from her embarrassments her people must be heavily taxed for generations to come. By these notions, and the general bad impressions prevailing, the current of

emigration was turned aside in great part, or swept over us to the States in the West.

In 1846 an arrangement was made with our creditors upon terms proposed by themselves, by which nearly one-half of the debt was liquidated by the transfer of the Wabash and Erie canal, and the State resumed payment of the interest on the other half; but it was not until many years of faithful discharge of her pecuniary obligations the credit of the State was entirely restored.

At the battle of Buena Vista an event occurred which exercised an important and pernicious influence on the growth and prosperity of the State. The Second Indiana regiment, by the cowardice or incompetency of a single officer, was led into a false movement which resulted in a confused and disorderly retreat. The regiment was composed of as good and brave men as any other, but through the malice of the arch traitor, Jeff. Davis, who reported them to General Taylor as cowards, or the indifference and stupidity of those who should have vindicated them, they were publicly disgraced, and with them the State to which they belonged. For years the Second Indiana regiment was a by-word, and the valor of the State sneered at by the ignorant and thoughtless.

This affair, combined with the bad financial character of the State, led the uninformed abroad to regard her with aversion or contempt, and the emigrant was discouraged from coming within her bor-

ders to seek a home. When a man is about to seek a new home, very small causes will determine him to go to one State or another. The general good impression he has of one, or bad impression of another, fixes his choice.

If one State is charged with bankruptcy, or a heavy debt, or suspected of heavy taxes, or the valor of the people spoken of lightly, he will go around it, or rapidly across it without stopping, to seek his new home in one beyond. It is worth while to pause a moment and reflect upon what trifling and irrelevant causes the progress and prosperity of a State will sometimes depend.

The disaster at Buena Vista, which should have disgraced but a single man, retarded the progress of a great State; and I am of opinion that, but for the causes I have been considering, the population of Indiana in 1860 would have been quite 2,000,000 instead of 1,339,000. Our disaster at Buena Vista has happened to others during this war, but the frequency of the occurrence seems to have diminished its importance. We are taught by this passage in our history, that the honor of a State should be jealously preserved. Whatever it may cost to preserve its faith, it will cost more if it be suffered to tarnish. The folly of the system of 1837 was only exceeded by that which subsequently permitted the interest on the public debt to remain unpaid for six years.

But now, through the progress of wealth and population, and the faithful performance of all obli-



gations for many years, the credit of the State is entirely restored and placed upon a high and secure basis; while the valor of her sons has been vindicated upon an hundred battle fields, and may now justly challenge the admiration of the world.

#### THE WAR—PRESIDENT'S PROCLAMATION.

A number of States are in rebellion against the Government, endeavoring to dissolve the Union, and establish a new confederacy; they have large armies in the field, and are making war upon a grand scale. It is said by some that we can compromise, and make peace. But what is meant by compromise? Would consenting to a dissolution of the Union, dismemberment of our territory and establishment of an independent confederacy be regarded as a compromise? If so, we can compromise. Have the rebels ever intimated, or held out proposals for peace on any other terms? If they have, I have no knowledge of it. On the contrary, they have, in every form, and on every occasion, declared their unalterable purpose to accept only of disunion and independence.

Some two weeks ago, Wm. L. Yancey, one of the most able and influential men in the rebel States, was invited to address the Legislature of Alabama. In the course of his speech, he reviewed in the most scornful and contemptuous language, the proposals for compromise and peace, which had come from the North, and spit upon the men who offered

them, declaring that they would prove as false to the South as they had recreant to the North. He expressed, however, a hope that the South would receive great benefit from dissensions in the North, and upon that subject used the following language :

“ We have something to hope, however, from this division of the councils of our enemies—from their fierce party strife and jealousies. Upon this hope let us build our own unity—upon their jealousies let us build our own harmony,—upon these clashings of party interests let us bind together our own patriotic energies—upon their selfishness and folly let us base a prayer to God that he would enable us to exhibit, in behalf of our beloved country, a self-sacrificing wisdom, both in opinion and action, in all matters appertaining to our defense.”

Why then should the people of the North be deluded with the idea that compromise is possible, and thus induced to abandon their efforts to suppress the rebellion? Why should they be divided among themselves, and weakened by the proclamation of a hope so utterly fallacious? Some there are who profess to believe that all we have to do to bring about peace and a restoration of the Union, is to lay down our arms and withdraw from the conflict. Peace, temporary and hollow, might be had upon such terms, but not a restoration of the Union. It would be a dishonorable and shameful surrender, forever tarnishing the character of the

Nation, and History would write down as infamous the instruments by which it was accomplished.

Others say that we should re-construct the Union, in doing which the New England States should be left out. But what have the New England States done that they should be left out? It is said we are paying heavy duties on imports to sustain their manufactures, and are in that way oppressed. If so, let us repeal them. The New England States are but six, while the States of the Northwest alone are nine, with the prospect of an indefinite increase. That, however, is not the real objection. It is that their political principles are offensive, and the men who would turn them out, desire to construct a republic in which they can hold the power. Such a project would be criminal to the last degree, if it were not insane. The fortunes of parties are variable. The party in power to-day is down to-morrow, and the victors are, in turn, overwhelmed and so it goes from year to year. The scheme of constructing a republic, taking in such States as are favorable, and turning out such as are not, presents the last stage of partisan insanity. It would be forming a republic for the party, and not the party for the republic. A government founded upon such ignoble purposes could not stand, and would not deserve to.

In every point of view, the scheme just considered, is full of dishonor and ruin. Our Union once dissolved, and our present relations broken up, all

that is traditional and sacred would be lost, and any future alliances that States might form with each other would be regarded as mere arrangements of convenience, possessing no tie beyond the interests of the hour, and liable to dissolve at the first outbreak of faction.

The President has issued his proclamation offering freedom to slaves held in certain of the rebellious States. It remains to be seen what effect this proclamation will have in suppressing the rebellion; but whether it be effectual or not, for the purpose for which it was intended, the authority upon which it was issued is beyond question.

If the rebels do not desire the Government of the United States to interfere with their slaves, let them cease to employ them in the prosecution of the war. They should not use them to build fortifications, manage their baggage trains, perform all the labor of the camp and the march, and above all to raise provisions upon which to subsist their armies. If they employ the institution of slavery as an instrument of war, like other instruments of war, it is subject to destruction. Deprive them of slave labor, and three fourths of the men composing their armies would be compelled to return home to raise food upon which to subsist themselves and families. If they are permitted to retain slave labor, they are enabled to maintain their armies in great force, and to destroy that force we are com-

pelled to shed much of our best blood. Let us not be more tender of their property, than we are of our blood.

But it is said the emancipation of the slaves will lead to insurrection, and the sacrifice of innocent women and children. Such an event would be greatly deplored. But it is not, in my judgment, a necessary result, or one likely to occur. The history of insurrections shows that they spring not from emancipation, but from despair. But if it were, I should say to the rebels, that if they were unwilling to incur the dangers of insurrection, and do not wish the Government to meddle with their slaves, they must cease to employ them in the prosecution of the war. With what propriety can they employ the institution of slavery as a means of our destruction, and at the same time ask us to let it alone? As well might they place their women and children in the front of their ranks, fire over their heads at us, and then call upon us not to fire back for fear of hurting them.

The madness which would inaugurate civil war in the North and set neighbors and brothers to cutting each other's throats, because the President has proclaimed freedom to slaves in States which have attempted to secede from the Union—have utterly rejected the authority of the Constitution of the United States—have formed for themselves a new Constitution—made a new flag, and to maintain

these are waging an unnatural and bloody war, is beyond human comprehension.

That we should fall upon and devour each other, to protect the constitutional rights of those who declare to the world that they have forever renounced and abjured all allegiance to the Constitution and Government of the United States, would be a spectacle so monstrous that no parallel could be found in history.

There is but one salvation for this people, and that is the suppression of the rebellion and the restoration of the Union; and this can surely be accomplished if we are but united; and I pray God that the storms of party and passion, which now obscure the heavens, may speedily pass away, and again discover us to the world a united people, unalterably resolved to vindicate our honor, and preserve the Union which our fathers gave.

I believe that the masses of men of all parties are loyal, and are united in their determination to maintain our Government, however much they may differ upon other points; and I do sincerely hope that men of all parties will be willing to abate much of their peculiar opinions in subordination to the great cause of preserving our national honor and existence. And in conclusion, allow me to express my confidence that your deliberations will be animated only by an ardent desire to foster the honor and interests of our beloved State, and to cherish and protect, at whatever cost, the power and

the glory of the government of our common country.

OLIVER P. MORTON,  
Governor of Indiana.

January 9th, 1863.

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GOVERNOR MORTON'S REPLY TO THE REQUEST OF THE  
HOUSE OF REPRESENTATIVES FOR THE RE-DELIVERY  
OF HIS MESSAGE.

[On Friday, the second day of this session of the Legislature, the Governor sent in his Message to the House of Representatives. This body refused to receive it, and it was returned. Afterward, on the 15th of January, the House passed a resolution requesting the Governor to re-deliver his Message. The following is his reply to that resolution:]

STATE OF INDIANA, EXECUTIVE DEPARTMENT,  
Indianapolis, January 19, 1863.

*To the House of Representatives of the State of Indiana:*

On Friday, the second day of the session, I sent my Message to the House, with all due respect, under the following circumstances: The Message had been prepared to be read in the presence of both Houses, and I expected to have delivered it, at the ordinary time, which is on Friday the second day of the session, at 2 P. M., and in this expectation advance copies had been sent to the press at various places and it would appear in the papers on Saturday morning.

Immediately after the visit of the Committee on Friday afternoon, I was assured that there was no prospect of a Joint Convention on that afternoon, or at any other time soon, to receive the Message, and at once determined to send it in print to each House.

Such a course was clearly constitutional, and in accordance with the practice in the Federal and most of the State governments.

On Saturday, the third day of the session, I received the following resolution, adopted by your Honorable Body :

*Resolved*, As there was no Senate in session, and no General Assembly to receive such address as contemplated by the Constitution, that this House refuse to receive the Message of His Excellency the Governor communicated to it yesterday, and that the same be respectfully returned to him, to wait the further action of this General Assembly.

The return of the Message is predicated on the statement that there was no Senate in session, and no General Assembly to receive such an address as contemplated by the Constitution.

As soon as Mr. Holloway delivered the Message to the House, he repaired to the Senate and found the president in the chair, the clerks at their desks, many senators in the chamber, and debate going on.

But suppose the Senate was not in session, how does it affect the question? Both Houses were fully organized on the day before, a quorum of the members of each having been present, and all their offi-



cers having been duly elected and qualified, of which I had been officially informed.

Each House sits on its own adjournments, and it often happens that one House will transact important business and pass bills when the other House is not in session. Has the validity of such action ever been called in question, because the other House was not in session at the same hour? The validity of the action of each House depends upon the fact that it is part of an existing General Assembly, but according to the doctrine of the resolution, there can be no General Assembly unless each House is in session at the same hour.

If the position be correct, the action of the House on the second and third days of the session, while there was no Senate in session, in passing resolutions, including the one sent to me, was clearly invalid.

I respectfully submit that, as a matter of law, logic, and practice, the position is wholly untenable. What difference could it make if the Message having been sent to the House on one day, was not sent to the Senate until next day, or the next week?

On the 27th day of December, 1859, Mr. Buchanan sent his Message to the Senate of the United States, the House of Representatives not being organized, having failed to elect a Speaker. The Senate, unable to perceive any objection, received and read the Message.

On Tuesday, the 6th day of January inst., Gov-

ernor Seymour, of New York, sent his Message to the Senate, the other House being unorganized, not having elected a Speaker, and being incapable of transacting any business until its organization was completed.

On the 15th day of January inst., your Honorable Body passed a resolution, of which I quote the first sentence:

*“Resolved, By the House (the Senate concurring) that the thanks of the General Assembly of the State of Indiana are due, and are hereby tendered to the Hon. Horatio Seymour, Governor of New York, for the able and patriotic defence of the Constitution, the laws and liberties, of the American citizen contained in his late Message to the Legislature of that State, and particularly for his just and high appreciation of the interests, position and patriotism of the great Northwest.”*

The point to which I call your attention is that in this resolution your Honorable Body have expressly recognized the Message of Governor Seymour as having been delivered to the Legislature of New York, although it was delivered only to the Senate, the House not being organized.

The action of the House, then, stands thus: On the third day of the session, after the complete organization of both the House and the Senate, the House, by resolution, returned my Message, with the accompanying documents, on the ground that at the time of its delivery the Senate was not in session, and there was no General Assembly within the meaning of the Constitution to receive it.

This resolution was passed when the Senate was not in session.

On the 7th day of the session the House passed another resolution thanking Governor Seymour for his Message, and expressly recognizing it as having been delivered to the Legislature of New York, although it had only been delivered to the Senate, the House not being yet organized.

Having transmitted my Message to the House in a proper and respectful manner, and it having been, in my judgment, unnecessarily and improperly rejected, I have nothing further to submit at this time.

Very respectfully,

O. P. MORTON,  
Governor of Indiana.

## CHAPTER X.

Governor Morton's appeal to the patriotic women of Indiana—An appeal to the people of Indiana—His appeal to Congress in behalf of the soldiers—Message to the Legislature—Letter to James Winslow, Esq.

Appended to the foregoing message and letters are the following papers, which we here insert, although some of them are dated prior to the period of which we now write, and might seem to the casual reader, to be out of place. We make the publication in this place for two reasons: First, because they did not come to hand in time for insertion in the proper place, and second, they are too valuable to be lost: they speak volumes in favor of Governor Morton's devotion to the soldier's interest.

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TO THE PATRIOTIC WOMEN OF INDIANA.

When the President issued his first call to the loyal States for help the Government was unprovided with most, if not all, the articles necessary to the comfort and health of soldiers in the camp and the field. The women of Indiana were appealed to, and they supplied the deficiency in our State with a generous alacrity that entitles them to the gratitude of the nation. The approach of winter makes it necessary to appeal to them again. Our volunteers, already suffering from exposure, against

which they are very inadequately protected, will soon be compelled to endure the utmost severity of winter and multiplied dangers of disease. The Government is doing all that can be done for them, but when all is done they must still lack many of the comforts which men in ordinary pursuits enjoy, and which soldiers need above all others. Many articles of clothing that, to men with houses over their heads and warm fires always near, are hardly more than a luxury, to men with no protection but a tent, no bed but the ground, and whose duty must be performed under the unabated rigor of winter, are absolute necessities. They may save many lives that will surely be lost without them. These the patriotic women of Indiana, it is hoped, will supply.

An additional blanket to every man in our army will preserve hundreds to the country and to their families. Two or three pairs of good strong socks will be invaluable to men who must often march all day in the snow, and without them must lie down with cold and benumbed feet on the frozen ground. Good woolen gloves or mittens will protect their hands in marching, and in handling their arms, and, while adding greatly to their comfort, will materially increase their efficiency. Woolen drawers, and shirts too, are a necessity to men exposed to such vicissitudes of weather as soldiers. All these articles the Indiana volunteers ought to have now, and must before winter sets in, if we

would protect them from exposure and disease that may be averted by this timely preparation. Some of these articles the Government does not furnish, and others not in sufficient quantities to supply the waste produced by exposures of a soldier's life. Blankets can not be purchased. The stock is completely exhausted, and the Government is soliciting contributions from the citizens.

Will not the women of Indiana do their share in providing for the men of Indiana in the battle field? An hour of each day, for a week, given to the manufacture of the articles named will provide an ample store. Are they not ready to give that, and more if needed? I urge upon them the duty of promptly beginning the work. Let them at once forward, at the State's expense, to the State Quartermaster, such blankets as they can spare. They will be immediately and carefully sent to such regiments as the donors prefer, if they have any preference. Let them singly or by association, set about the manufacture of woolen shirts, drawers, socks and gloves. The sewing societies of our churches have here a field for exertion wider and grander than they will ever find again. Will they not give their associations for a time to this beneficent object? The numerous female benevolent societies, by giving their energies and organizations to this work, can speedily provide the necessary supply. Let women through the country, who have no opportunity to join such associations, emulate each

other in their labors, and see who shall do most for their country and their defenders in this hour of trial.

The articles should be sent to the Quartermaster, with a card, stating the name and residence of the donor, and their destination, if she has any choice. The name will be recorded and preserved with the number and kind of articles sent. The women alone can meet this emergency, and to them our volunteers, as well as the Government, look for sympathy and aid.

O. P. MORTON,

October 15, 1861.

Governor of Indiana.

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#### AN APPEAL TO THE PEOPLE OF INDIANA.

Indiana has at this time nearly one hundred thousand of her sons in the field, enduring the hardship and privations incident to the life of soldiers. They have gone forth at the call of their country to defend with their lives the Constitution and the Government under which we live. Thousands of these brave and patriotic men have left behind them families, with temporary provision only for their support. In many cases these families, during the approaching winter, will be in need of the ordinary comforts and necessaries of life, and destitute of the means of procuring them. Many of them are too spirited to ask for assistance; others, unless some system is adopted for their relief, will not know where to apply. The

soldier's pay is often delayed, his own necessities require a portion of it, and the remainder is frequently greatly delayed in being transmitted to his family. It requires no argument to prove that, even if he sends all his money home, one hundred and fifty-six dollars a year is a very scanty support for a family, especially at this season of high prices. In many places business of all kinds is so much prostrated that those who can and are willing to labor are unable to find employment. Every thing bears a high price, and every thing is *cash*.

The truth of what has been stated must be apparent to every one, and it remains with the patriotic and liberal citizens of the State to apply the proper remedy. It is their solemn duty to see that the needy are cared for; that while the soldier is braving the perils of the battle-field, his wife and children and all who are dependent upon him, are made comfortable at home; and especially that his children are provided with books, and afforded opportunity to attend school. This is not charity—but a sacred obligation, which should be met promptly and willingly, and the recipients should be made to feel that they are not objects of charity, and that what they receive is but the partial discharge of a debt of the most binding character.

It may be urged by many that they have already given largely and sacrificed heavily for these benevolent objects, and hence they ought to be excused from further drafts. It may be asked, in reply,



what are these sacrifices compared with the sacrifices of families who have given their natural supporters and protectors to the cause of their country? What is the sacrifice of the man living comfortably at home, even though he give half his income, to that of the man who has left his family and home and gone to the field?

The land is full of wealth, the harvest has been bountiful, and there can be no reasonable excuse for allowing the needy to suffer in a country like this.

I would respectfully and earnestly request, that in every township, every town, and every ward of the several cities in the State, some systematic plan, by means of regularly organized committies or auxiliary aid societies, be at once adopted for relief.

To ministers of the gospel I would say: No nobler work than this can engage the time you may have at your disposal. Much can be done by appeals from the pulpit, and by personal efforts with the people; by visiting the families of soldiers, ascertaining their wants, and seeing that they are regularly supplied.

The township trustees in the several counties, on account of their familiarity with local affairs, will be able to render great assistance in the humane work, by giving a portion of their time and efforts to the relief of the needy and destitute.

In all measures of relief which may be adopted I most respectfully and confidently bespeak the hearty aid and co-operation of the noble women of

Indiana. Actuated by the purest patriotism, and always foremost in deeds of love and mercy, they may here find an extensive field for the exercise of many kindly offices to the advantage and comfort of the distressed; their words of encouragement will cheer the hearts of the drooping and disconsolate, and their example will lead others to undertake the same good work.

O. P. MORTON,  
Governor of Indiana.

EXECUTIVE DEP., Indianapolis, Nov. 14, 1862.

#### INCREASE OF PAY OF PRIVATE SOLDIERS.

*To the Senators and Representatives in the Congress of the United States:*

The undersigned respectfully represents that, from an intimate knowledge of the condition, wants and necessities of a large portion of the men composing the Army of the United States, he is fully impressed with the belief that the pay of private soldiers should be increased, so as to make it bear a proper proportion to the increased cost of all the necessaries of life. The present pay of a private is thirteen dollars per month, or one hundred and fifty-six dollars a year. From this sum a considerable portion must be deducted for the purchase of articles not furnished by the regulations, but which the soldier deems necessary to his health or comfort. Should the balance be remitted to his family in installments as it is paid him it will fall far short of

furnishing a support. To the monthly pay a bounty of one hundred dollars is to be added. To the old regiments this is not to be paid until the final discharge, or upon the death of the soldier. To the new regiments twenty-five dollars of the amount were paid in advance, the balance remaining unpaid until final discharge or death. As the final payment of the bounty depends upon the good conduct of the soldier, and is subject to contingencies, it can hardly be considered as a means, or source of credit, for the current support of a family. It must be remembered that a large proportion of the soldiers composing the volunteer armies of the United States are men of family, upon whose labor wives, children and parents are dependent for support. Should not their labor be so paid for as to make it sufficient to yield that support it would do if they were at home and engaged in private pursuits? They did not enter the army to make money, and do not desire to do so, but they do ask that they shall receive such compensation as will support, in decency and comfort, the dependent ones they leave behind. The price of labor throughout the Northern States has greatly advanced since the commencement of the war, and it is submitted that, aside from all questions of family support, and as a matter of simple justice, the compensation to our soldiers should be increased. Their labor is, of all other, the hardest, to which should be added the great danger of death from battle, hardship and disease.

Men tell our recruiting officers every day,—they would go into the army, but the pay allowed by our Government is insufficient for the support of their families, and they dare not leave them to the precarious charities of the public.

The following statement of prices at Indianapolis, Indiana, will show the relative costs of various leading articles on the 6th of August, 1861, when the present rate of pay was established, and the 27th day of November, 1862 :

ARTICLES.	Aug. 1861.	Nov. 1862.	Inc. per cent.
Brown muslins .....	8½a10 .....	23a29.....	190
Bleached muslins .....	10 a12½.....	23a30.....	175
American prints.....	10 a12½.....	18a22.....	95
Blue checks.....	12½.....	25.....	100
Hickory checks.....	12½.....	25 .....	100
Cotton flannel.....	12½a20 .....	35a50.....	150
Drillings.....	12½.....	32. ....	170
Cassinettes.....	37 a75 .....	75a1.50.....	100
Jeans.....	30 a50 .....	50a100.....	100
Boots.....	3.00 .. ..	3.75a4.00.....	33
Shoes .....	1.00 .....	1.50 .....	50
Brown sugar per lb.....	8 .....	13.....	62
Rio coffee " .....	15 .....	37.....	150
Tea " .....	75a1.00.....	1.25a1.50.....	50
Rice " .....	8 .....	10.....	25
Molasses, per gallon.....	50 .....	70.....	40
Flour, per barrel.....	4.50 .....	6.50.....	44
Salt, per barrel.....	1.65 .....	4.50.....	180
Meal, per bushel.....	40 .....	70.....	75
Fish, per lb.....	6 .....	8.....	33
Potatoes, per bushel.....	35 .....	80.....	130
Candles, per lb .....	10 .....	15.....	50
Wood, per cord.....	2.50 .....	5.00.....	100

From the above statement it will be seen that the cost of articles of prime necessity in clothing and

furnishing a family, has been increased one hundred twenty per cent. while provisions and groceries have increased in price not less than sixty per cent. It will be entirely safe to say that the cost of living, in the most economical style, throughout the Northern States, has increased at least seventy-five per cent. within the last fifteen months, and prices are still advancing. Thus, eight dollars per month in August, 1861, would have been a better compensation, and gone farther in maintaining a family, than thirteen dollars per month in November, 1862. Soldiers are paid in treasury notes at par, and as these notes have depreciated thirty per cent. as shown by the price of gold, their pay, from this fact alone, is substantially reduced to nine dollars per month.

It may be urged in objection to the measure proposed that it will greatly increase the expenditures of the Government and add to the public debt. In my judgment it would prove to be sound economy. It would increase the efficiency of the army, prevent desertions, encourage volunteering, and perhaps avoid the necessity of another draft to fill up the old and depleted regiments. Desertion is becoming frequent, and threatens the demoralization and destruction of the army unless it be promptly arrested. The most potent cause of desertion is the condition of the soldier's family at home. He receives letters from his wife, children or parents, announcing that they are destitute of food, fuel, clothing, or are about to be turned of doors for non-payment of

rent, and that their neighbors are failing to provide for them, as they are able and ought to do. He becomes maddened and desperate, and finding a furlough impossible, desertion is frequently the result.

Whatever contributes to the speedy termination of the war is economy on a large scale. Our hopes for peace and a restored country are founded upon the success of our armies; and it is believed that nothing would add to the efficiency and success of our arms so much as doing justice to the soldiers by increasing their pay.

I beg to ask your early and serious consideration of this subject.

OLIVER P. MORTON,  
Governor of Indiana.

EXECUTIVE DEP., Indianapolis, Nov. 29, 1862.

STATE OF INDIANA, EXECUTIVE DEPARTMENT,

INDIANAPOLIS, February 4, 1863.

*To the General Assembly of the State of Indiana:*

Owing to the immense drafts that have been made on the Treasury of the United States, the Government has been unable to promptly pay the troops the wages to which they are entitled. To most of the soldiers four months' pay is due, and to many of them six. I am informed, however, that enough money has recently been furnished to the paymasters to pay all arrearages up to the 1st

of November last, which will still leave due and unpaid their wages for two months, ending on the 1st day of January. The failure by the Government to pay the army the money due to it at the period fixed by law for its payment, which is every two months, operates with great hardship upon the wives, children and parents who are dependent upon it for support. The compensation of the private soldier is small, and if the payment of it be greatly delayed much suffering must ensue. The brave and generous men who have gone to the field to peril their lives in battle and endure the hardships of war, should not be allowed to fret that the payment of their scanty compensation is delayed, if there be any means by which delay can be avoided. The soldier needs money while in camp and on the march, and often suffers greatly in health and comfort for want of it.

The Government, I believe, is doing all in its power to meet its engagement promptly, but the question is whether the State could not, without serious detriment to herself, remove the difficulty, so far as Indiana troops are concerned, by advancing their unpaid wages. If proper legislative authority were given, the State could, I have no doubt, borrow of the banks or individuals in Indiana, New York, or other places, at legal interest, enough money for the purpose, and an arrangement could be made with the Secretary of the Treasury by which the amount advanced should be refunded

to the State by the United States whenever the Government was able to pay the same to the troops, if they had not been paid by the State. The State would be reimbursed for her expenditures, probably every 60 or 90 days, and the interest paid upon the loans would be trifling compared with the amount of good that would be accomplished; and this interest would no doubt be refunded by the Government.

The plan for doing it, I would briefly suggest as follows: Let the officers and soldiers in proper form assign the pay due them to the Treasurer of the State, with a direction in the assignment to whom the money should be paid by the State. If the money is to be paid to the family or friends of the officer or soldier, living in this State, it can be done through the Treasurer of the county in which such persons live. If the money is to be sent to the soldier in the field, it can be done by Federal paymasters under an arrangement with the Paymaster General, at Washington; or, if it be preferred, the money can remain in the State Treasury, as a deposit subject to the order, at any time, of the person entitled to draw it. Upon the pay rolls thus assigned to the Treasurer of the State, he can from time to time settle with the United States and receive back the moneys advanced.

The measure proposed has several important advantages. *First*—By the prompt payment of the troops a prolific source of discontent and desertion



is removed. *Secondly*—Officers and men are enabled to provide for their own necessities in the field, and for the support of their families and dependent ones at home. *Thirdly*—By the plan proposed of paying through the county treasurers, families and dependent ones at home will receive a large amount which would never reach them, even though it were promptly paid to those entitled while they were in the field. *Fourthly*—Much money would be held in trust, as a deposit in the State treasury, which, if paid to the soldiers in the field, would be squandered or lost.

This recommendation is not intended to be confined to pay now in arrears, but to apply in the future, when the Government is unable to promptly meet its engagements with the army.

Should the plan suggested not be deemed feasible, or the best, I will cheerfully co-operate with you in the adoption of any other by which the main purpose, the prompt payment of Indiana troops, can be accomplished.

I would respectfully invite your early consideration of this subject.

O. P. MORTON,  
Governor of Indiana.

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It was doubtless the solicitude manifest in these papers, and the good resulting from them, no less than the countless efforts previously made by the Governor in behalf of the soldiers, that induced the

Indiana volunteers to address the following stinging rebuke to the Indiana Legislature :

*Resolved*, That we tender to his Excellency, Governor O. P. Morton, the thanks of his grateful friends in the army, for his efforts in their behalf, and assure him that neither time nor the corrupting influence of party shall ever estrange the soldier from the soldier's friend.

Accompanying this resolution are several others of a highly patriotic character, preceded by an able address setting forth the uncompromising loyalty of Indiana volunteers; and their determination to stand by the Governor of their State whatever might be the political conspiracies formed against him by trafficking demagogues. This address and the accompanying resolutions were adopted by every Indiana regiment in the Western army.

Separated from home and friends, and deprived of the privileges of citizens, as were the gallant men composing these regiments, they felt that upon the sagacity, vigilance and energy of their State executive depended the prevention of rebel misrule in Hoosierdom. In this view they were right; for a very considerable majority of the Union men of Indiana having entered the army, the State had, with the exception of the executive department, fallen into the hands of the rebel democracy, and the bloated leaders of this putrid faction, having grown insolent over recent political victories, were boldly taking strides toward the consummation of their great, leading design,—the separation of the western from the eastern States, and the formation

of a western confederacy preparatory to a union of the western with the rebel States.

But the Governor, by his boldness, ingenuity and untiring energy, succeeded in preventing the "butternuts" from carrying out their hellish designs; and the preservation of Indiana's glory is mainly attributable to his efforts.

The Legislature of this period having refused to grant an appropriation sufficient to defray the interest on the funded debt of the State, and the Governor being ever jealous of the reputation of Indiana, and being desirous of placing the refusal to pay this interest upon the right shoulders, wrote the following letter to James Winslow, Esq., of New York.

#### PAYMENT OF THE INTEREST ON THE STATE'S DEBT.

The Legislature, as the public are aware, adjourned without making any appropriations. Some leaders of the democratic party are making this failure an argument against the payment of the interest on the State's debt, alleging that an appropriation specially directed to that purpose is necessary. The Attorney General of the State, Oscar B. Hord, in a written opinion, prepared at the request of the State Auditor, has taken the same ground. He denies that there is any law authorizing the payment of that interest. The effect of this official declaration can not but be most injurious to the credit of the State, since if the payment

of interest, to which her faith is pledged, can be left to the capricious action of successive legislatures, no confidence can be felt that it will be made promptly, or made at all. The failure to pay any dividend of interest falling due, it needs no argument to show, will greatly damage, if not temporarily ruin, the credit of the State. To allow the impression to remain uncorrected which this opinion creates, that the State debt can not be paid unless each succeeding Legislature approves it, must depreciate our stocks and make them the prey of dishonest speculators, who are already preparing for the feast the Attorney General offers them; and the State must again, and most causelessly, suffer the shame of repudiation. To correct this impression, and avert its evil effect upon the credit of the State, Gov. Morton has prepared the following letter.

STATE OF INDIANA, EXECUTIVE DEPARTMENT,  
April 23, 1863.

*James Winslow, Esq.*

DEAR SIR: In obedience to my promise, made while in New York, I have the honor to submit the following statement of the law, as I understand it, touching the payment of the interest on the Funded Debt of Indiana.

The Attorney General of the State has published an opinion in which he comes to the conclusion, that there is no law of the State authorizing the payment of such interest.

After the lapse of sixteen years since the State compromised with her creditors, and the making of thirty-two semi-annual payments, this will seem a strange announcement to the world.

I shall endeavor to show that his conclusion is not correct.

He defines the word "appropriation," as used in the Constitution, as follows:

"The word *appropriation*, as used in the Constitution, I suppose to mean, an act of the General Assembly setting aside money to be applied to a definite purpose, with authority to take it from the Treasury for application to that purpose."

This definition seems to imply that a particular sum of money or fund must be designated or set apart for the payment of a particular debt, as for example, the sum of \$320,000 for the payment of the interest on the public debt in a given year. The definition is not accurate. Many appropriations, perhaps a majority, are made upon the whole treasury, and for which no specific fund or sum of money is set apart.

An able lawyer has defined an appropriation as "*a legal provision for the payment of a debt due from the State, or to become due, out of the funds of the State.*"

Another lawyer, of acknowledged ability and learning, speaks of an "appropriation" thus. "The term 'appropriation made by law' has no peculiar signification other than that there is a law requiring

public payments to be made out of public moneys of the State, whether the amount be specified in the law or left to calculation, as the amount of interest to be paid on a public debt and the quarterly payments made to our public officers where they have fixed annual salaries." These definitions are in substance the same.

An appropriation may be accurately defined as a direction given by law to pay money out of the Treasury for a particular purpose. This direction may be specific, and in terms, or it may be a necessary intendment of a legislative act. If a direction to pay money is in direct terms, or is the necessary construction of a legislative act, it is an appropriation within the meaning of the Constitution.

It is, as in all other cases, a question as to the intention of the Legislature; which is to be arrived at by the ordinary rules of construction. If it is the intention that money should be taken from the Treasury for a particular purpose, then such intention is the law, and is an appropriation.

The act of 1846, ratifying the compromise with the creditors of the State, contains the following section: "*Sec. 5.* The interest on the stock hereby created shall be payable half-yearly, at the city of New York, on the first days of January and July of each year, commencing on the first day of July, 1847. But if the interest for any half year shall not be demanded before the expiration of thirteen months from the time the same became due, it shall

only be demandable afterwards at the Treasury of the State; *and for the payment of the interest and the redemption of the principal, as herein provided, the faith of the State is hereby solemnly pledged.*"

This section solemnly pledges the faith of the State to the payment of the interest on the funded debt in the city of New York on the first days of January and July of each year, and is a contract of the most binding character, the faithful observance of which is vital to the credit of the State. It is a legal and necessary intendment of this contract that the money shall be drawn from the State treasury to pay the interest.

On the 27th day of January, 1847, an act was approved, supplemental to the act of 1846, which was accepted by the bondholders, and became part of the contract. The concluding part of the 14th section of this act is in these words:

*"Be it further enacted, That all stock to be created, and all certificates and other instruments of title to be issued, in pursuance of the said act, and all principal, moneys, and interest thereby respectively secured, shall not be molested or impaired, arrested or attached by the State of Indiana."*

I submit that it is not in the power of the Legislature to hinder or defeat the payments of the interest on the public debt by the adoption of new regulations, or by making such payments dependent upon uncertain legislation from year to year. •

The supplemental act also provides the form of the obligation to be issued by the State to her creditors. which I quote as follows:

UNITED STATES OF AMERICA.

STATE OF INDIANA.

*Five Per centum State Stock.*

“Under two acts of the General Assembly of the State of Indiana, entitled ‘An act to provide for the funded debt of the State of Indiana and for the completion of the Wabash and Erie Canal to Evansville,’ passed 19th January, 1846, and ‘An act supplementary to the said act,’ passed —, 1847.

“*Principal* chargeable on the revenues of the State, pursuant to acts of the Legislature of Indiana, passed the 19th of January, 1846, and —, 1847.

“Be it known, that the State of Indiana owes to A. B., or his assigns, the sum of one thousand dollars, being part of the principal of the bonds of the State, declared to have been surrendered to the State *by act of surrender of this date*, and which amount of one thousand dollars bears *interest* at the rate of five per centum per annum from the first of January, 1847, payable half-yearly in the city of New York, at the times and in the manner declared by the acts of the Legislature above mentioned.



“This stock is redeemable at any time after twenty years from nineteenth January, 1846, at the pleasure of the State, in the city of New York, and until redeemed is transferable upon surrender in the city of New York, in books provided for that purpose by the Agent of State, there resident, by endorsement hereon, and according to such other rules and forms as are or may be prescribed for that purpose; and for the payment of the *interest* and the redemption of the principal aforesaid, the faith of the State of Indiana is irrevocably pledged.

“This debt is duly recorded, &c.

“Witness our hands at Indianapolis the — day of —, 1847.

“Countersigned,

*Treasurer.*  
*Auditor.”*

To this obligation a postscript is attached in these words.

N. B.—The State reserves the right (according to the terms and conditions of the said acts), to postpone payment of a portion of the *interest* due upon this certificate until first January, 1853, paying *interest* on the same at the rate of six per centum per annum, and to fund one per centum of the same without interest after that period, at the rate of two and one half per centum.”

Is it possible that further legislation is required to authorize the State to pay the interest on this obligation? The State makes her written promise to pay

at particular times, and delivers it to her creditor, which upon presentation to the proper officer is a direct and sufficient authority for payment. If it is not, then the promise of the State carries with it no obligation, and the authority to pay must be derived solely from subsequent legislation.

The old Constitution contained the following :

“SEC. 21, ARTICLE III. No money shall be drawn from the Treasury, but in consequence of appropriations made by law.”

The new Constitution went into force upon the 1st of November, 1851, and contained the following provision:

SEC. 3, ARTICLE X. No money shall be drawn from the Treasury, but in pursuance of appropriations made by law.”

It will be seen that these provisions are in substance the same. The successive legislatures of 1847, '48, '49, and '50 accepted the sections quoted from the acts of 1846 and '47, as an appropriation to pay interest within the meaning of the Constitution, and made no other except in three special acts in 1849, 1850, and 1851, authorizing the borrowing of money and directing the money thus borrowed to be paid on the interest on the public debt, which direction was nothing more than a statement of the purpose for which the money was borrowed.

The State officers during the same period accepted them as an appropriation. The Auditor drew

warrants for the necessary amounts and the Treasurer paid them.

Many of the men who framed the new Constitution were in the first legislature that assembled under it. That legislature did not deem it necessary to make any further appropriations to pay the interest upon the public debt, believing that the acts of 1846 and 1847 were sufficient for the purpose. This opinion was acted upon by every legislature up to the fall of 1858, and specific appropriations were not made before that time for the payment of interest. It was also adopted and acted upon during the same period by the officers of State.

Thus, from the beginning, the acts of 1846 and 1847 were accepted both by the Legislature and the State officers, as a sufficient appropriation under the Constitution.

The new Constitution contains the following provision:

“SEC. 2, ART. X. All the revenues derived from the sale of any of the public works belonging to the State, and from the net annual income thereof, and any surplus that may at any time remain in the Treasury derived from taxation for general State purposes, after the payment of the ordinary expenses of the Government, and of the interest on bonds of the State, other than bank bonds, shall be annually applied, under the direction of the General Assembly, to the payment of the principal of the public debt.”

This provision is in itself a direct appropriation to the payment of the principal of the public debt, of all the money remaining in the Treasury after the payment of the ordinary expenses of the Government, and of the interest on bonds of the State, other than bank bonds.

This appropriation, however, can not become operative until after the payment of the interest on the bonds of the State, and carries with it a necessary implication that the interest should be paid out of any money in the Treasury. The Attorney General says, however, that if this section is an appropriation to pay interest, it is, also, to pay the ordinary expenses of the Government.

This does not follow, for the ordinary expenses of the Government from their nature are not liquidated, and ascertained, and can only be liquidated and determined by legislation from time to time while the interest on the public debt is liquidated and determined in the most solemn form. If additional legal authority were required outside of the act of 1846, and the supplemental act of 1847, to pay the interest, it will be found in this provision of the Constitution.

Thus for a period of twelve years the various legislatures and auditors and treasurers of state received the acts of 1846 and 1847 as a sufficient appropriation within the meaning of both Constitutions upon which twenty-three semi-annual payments were made, and more than three millions of

dollars disbursed. All the laws that were in force during these twelve years are still in force, under which the interest was paid, and, after such long acquiescence and practice by legislatures and officers of State, it is too late to say there is no appropriation.

In 1857 the Legislature adjourned without making the ordinary appropriations for the support of the benevolent institutions, and without having passed a revenue bill. The Hon. Joseph E. McDonald, a lawyer of reputation and ability, was then Attorney General of the State. He advised Governor Willard and the State officers that no further legislation was required to authorize the payment of the interest on the funded debt of the State, as the act of 1846 was a contract with the bond-holders and a sufficient appropriation. He however gave the opinion at the same time that there was no appropriation under which money could be lawfully drawn from the Treasury for the support of the benevolent institutions.

Under the authority of this opinion and in pursuance of the practice for the preceding ten years, Gov. Willard, together with the the Treasurer and Auditor of State, borrowed \$165,000 to pay the July interest in 1858.

The Attorney General quotes a passage from the message of Governor Willard to the extra session in the fall of 1858.

In his commentary on the passage he represents

the Governor as defending his act in paying the interest on the public debt without an appropriation as a matter of public necessity to save the credit of the State. He has imperfectly read the passage and the misapplication of it is total. The Governor said nothing of the sort. In that part of the message, in which the Governor refers to the absence of an appropriation, he is speaking of the benevolent institutions. And in that part in which he speaks of borrowing money, he refers to the payment of the interest on the public debt. The case stood thus: for the payment of the interest on the public debt there was an appropriation but not sufficient money in the Treasury; for the support of the benevolent institutions there was money in the Treasury but no appropriation on which to pay it out.

On the 24th day of April, 1857, Governor Willard published in the *Indiana State Sentinel* an address to the people of Indiana, from which I extract the following passage:

“By laws which were passed by previous legislatures, provision is made for sustaining every department of the Government excepting the benevolent institutions. The tax is levied for the support of the common schools and two cents upon each one hundred dollars for the purpose of paying the principal of the public debt. As long as there is money in the Treasury belonging to the State, it is believed that there is authority to pay the interest on said debt.”

In this passage he clearly states his opinion that there is authority to pay the interest on the public debt as long as there is money in the Treasury, and that every department of the Government was provided for by previous legislation excepting the benevolent institutions. Further on he used the following language :

“Again, on the 19th day of January, 1846, the Legislature passed an act to provide for the funded debt of the State, in which your faith was solemnly pledged for the payment of the interest on said debt, and on the 27th of January, 1847, another act of the Legislature was passed repeating the obligation given in the previous year to the creditors of Indiana.

“Ever since these acts were passed the State has maintained her faith and credit, the result of which has been to encourage the introduction of population and capital into the State.”

He then complained that the Legislature had adjourned without passing a bill levying taxes with which to pay the interest in 1857 and 1858.

The only responsibility which Gov. Willard and the State officers took by paying the interest on the public debt in 1858, was in borrowing the money for that purpose, which was clearly authorized by the act of 1852, which act is still in force.

The quotation which the Attorney General makes in his opinion from the debates in the Legislature of 1859, were irrelevant, as they refer to the legal-

ity of the loan made by Gov. Willard, and not to the absence or existence of appropriations.

The Treasury act of 1859 and Embezzlement bill of 1861, are not broader than the Constitution. They do not make that illegal which was not illegal before. It required no more to constitute an appropriation after the passage of those bills than before. They simply affixed a punishment for paying money out of the Treasury improperly, where before there was none. The simple question is, as to the existence of an appropriation, within the meaning of the Constitution, and this is conceded by the Attorney General, as he does not contend that an appropriation good before the Embezzlement bill is not good after it. This was expressly decided in the case of *Lange, Auditor, vs. Stover*, at the November term, 1862, of the Supreme Court of Indiana, in which case it was held that the State Auditor could draw a warrant under the general appropriation contained in the Swamp Land act of 1852, notwithstanding the Treasury act of 1859 and the Embezzlement bill of 1861. Where the appropriation is general it can be paid out of any money in the Treasury not otherwise appropriated; when it is special and payable out of a particular fund it must be paid only from that fund. The section quoted by the Attorney General from the act of 1859, means this and nothing more. Instances illustrating the first class may be found in the appropriations for the payment of the interest on the public debt,



and the salaries of the State officers. Instances of the second class may be found in former appropriations for the support of the benevolent institutions, at a time when a separate and specific tax was levied to raise a fund for that purpose.

At the regular session of 1859, an act was passed entitled an act to provide a Treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public moneys of the State, the 16th section of which reads as follows :

“At some convenient period, prior to the falling due of the interest on the foreign debt of the State, payable at New York, the Treasurer shall, without making any discrimination, draw on the bank notes in the Treasury an amount of specie sufficient to pay said interest, which he shall transmit to New York by express, or otherwise, as may be deemed most safe; but any bank or banks on whose notes specie is thus demanded, may redeem such notes to the extent of such dividends, by draft on New York, payable fifteen days preceding the day of payment of said interest, and without any premium of exchange, and giving ample security to the Treasurer for the prompt payment thereof.”

This section is disposed of in the following manner by the Attorney General :

“The interest on the State debt was payable in New York, and at the time this act was passed, there existed no statute providing the manner in which the money should be transmitted to that city,

and making it the duty of any particular person to perform that service; and this section does nothing more than provide the instrumentality by which the interest shall be transmitted to the place of payment."

It is true this section provides the manner in which the money to pay the interest on the public debt should be transmitted to New York; but it does more. It declares that at a convenient period before the interest falls due, which is on the first days of January and July of each year, the Treasurer shall take from the State Treasury, enough money to pay such interest and transmit the same to New York for that purpose. He has no discretion in the matter. The act to be performed by him is not made contingent upon future appropriations or legislation. He can be excused from its performance only by the want of money in the Treasury, and in that case it is made his duty by another act of the Legislature, together with the Governor and Auditor, to borrow an amount sufficient to meet the deficit. The section constitutes an appropriation taking precedence of all others. The Treasurer is ordered to take, twice a year, enough money from the Treasury to pay the interest; and how shall he escape obedience to the mandate? He can not shelter himself behind the opinion of the Attorney General or any form of construction, however learned and ingenious.

The command is plain, direct, unconditional, and

must be obeyed. If before, technical objections could be raised of the want of a formal appropriation, they were completely removed. Will the Treasurer perform this most plain and important duty? I believe he will. I believe he is an honest man, and will not permit any influence to stand between him and the discharge of a duty so vital to the good name and welfare of the State.

The credit of the State, at one time greatly depreciated, has been restored by many years of faithful observance of her obligations, and if blemish again come upon it, woe be to those by whom it shall come.

The Attorney General quotes the 7th section of the Treasury act of 1859, prohibiting the Treasurer from paying any money out of it, or transferring any money from the Treasury, except upon the warrant of the Auditor.

If this section applies to the interest on the public debt, it is the duty of the Auditor to issue his warrant for the requisite amount in time to enable the Treasurer to send the money to New York as required by the section above quoted. I submit, however, that it has no application, and the Attorney General has failed to notice the fact that this section and 16th section before quoted are parts of the same act, and are to be construed together.

The practice under the act of 1859 has been this: At a convenient time before the first of January and July, of each year, the Treasurer would trans-

mit to New York a sum of money sufficient to pay the interest, place it there in the hands of the Agent of State, taking his receipt for the same, and afterwards take this receipt to the Auditor, and obtain the necessary warrant. This practice prevailed throughout 1859 and 1860 under the administration of Nathaniel F. Cunningham as Treasurer and John W. Dodd as Auditor, and afterward through 1861 and 1862, under the administration of Jonathan S. Harvey as Treasurer, and Albert Lange as Auditor.

The 16th section was regarded and acted upon by the State officers as making the interest an exceptional case, not governed by the 7th section.

To show that the Legislature did not regard the section I have quoted from the act of 1859 as constituting a sufficient appropriation, he makes the following statement:

“Bearing upon the effect of the section, I call your attention to the fact, that the same Legislature that enacted it, and after it had been passed, passed an appropriation bill appropriating \$320,000 for interest for the year 1859 (Acts 1859, 13); also, \$320,000 for interest for 1860 (Acts 1860, 14); and that the Legislature of 1861 made similar appropriations for the years 1861 and 1862 (Acts 1861, pages 6 and 7).”

On the 11th day of April, 1863, the Attorney General obtained from the Auditor a warrant for his salary for the quarter ending on the 31st of

March, 1863, which warrant was promptly paid by the Treasurer.

The payment of this salary was legal and proper, and I refer to the fact only to show that the Attorney General has made a practical decision of the question at variance with his written opinion.

The act of 1861, which contains the specific appropriations for the payment of the interest on the public debt, also contains specific appropriations for the payment of the salary of the Attorney General and other officers of State. Yet the absence of specific appropriations for salaries in 1863 is not, in the opinion of the Attorney General, a sufficient reason why he should not draw his salary.

He argues, in substance, that the Legislature of 1861 believed the section I have quoted from the Treasury act not a sufficient appropriation to pay interest, else they would not have made special appropriations.

According to this logic this Legislature was of the opinion that the general law regulating the salaries of State officers, also passed in 1859, was not sufficient to authorize their payment, and that special appropriations were required. But against this argument, drawn from legislative action, the Attorney General enters his practical dissent.

The general salary act does not come within his definition of an appropriation. It does not set apart any specific sum or fund for the payment of salaries. It is general in its character, and is an

authority to pay out of any money in the Treasury not otherwise disposed of.

The 32d section of the act regulating fees, approved March 2, 1855, reads as follows :

“The Secretary, Auditor, and Treasurer of State, shall furnish at the expense of the State the necessary record books and office rent and stationery for the offices of the Secretary, Auditor, and Treasurer of State and Clerk of the Supreme Court, and fuel and stationery for the use of the General Assembly.”

The Attorney General, in a written opinion recently delivered to the Auditor, decided that this section makes an appropriation, and authorized the Auditor to draw warrants, and the Treasurer to pay them, for the purposes therein mentioned. The section does not contain an appropriation in terms, nor does it set apart any money or fund.

It declares, however, that certain articles shall be furnished at the expense of the State, from which the Attorney General *infers* the appropriation and the authority to take the money from the Treasury. Is the declaration that certain articles shall be furnished at the expense of the State, stronger than the solemn promise of the State repeatedly made to pay the interest upon her debt at a certain place and at specified times?

Can authority to take money from the Treasury be inferred in one case and not in the other? If, when provision is made to furnish certain articles at the expense of the State, it is a necessary inference

that the money to pay the expense shall be drawn from the Treasury, is it not likewise a necessary inference that money shall be taken from the Treasury to meet the interest on the public debt which the State solemnly bound herself to pay at a particular time and place? And how can the Attorney General hold this section to be an appropriation, and break the force of the 16th section in the Treasury act of 1859, by calling it directory? And if the Treasury act of 1859, and the Embezzlement bill of 1861, do not impair the character of this section as a good appropriation, nor make payments under it penal, with what show of reason can it be pretended that they affect the right to pay the interest on the funded debt of the State?

It is not to be supposed that the payment of the interest upon the public debt should be left to the uncertainty of legislation from year to year, to be hindered or defeated by the accidental or willful failure of any legislature to make an appropriation. It is eminently proper that it should have been provided for by general and continuing legislation, and not left open to the neglect or caprice of each succeeding Legislature.

It is of the essential nature of such stocks that permanent provision be made for the payment of the interest, and if it were understood that the interest was not provided for, and its payment depended upon legislation from year to year, the value of our stocks in the market would be greatly diminished,

and our chances for future negotiations much impaired.

The act of 1846 was regarded in that light, and the act of 1859 was intended to give increased security against failure from the neglect or errors of judgment in State officers by making imperative the provision for sending the money to the place of payment in due season.

And so careful was the Constitutional convention in 1850 to provide for any contingency which might result in a failure to pay the interest on the public debt, that a special provision was made in the Constitution to authorize the borrowing of money for the payment of such interest.

Sec. 5, Article 10th, of the Constitution, declares that, "No law shall authorize any debt to be contracted on behalf of the State, except in the cases mentioned, of which to pay the interest on the State debt is one."

And the Legislature at its first session under the new Constitution carried out the provision by the following enactment, to-wit:

Section 5 of an act prescribing duties of Governor, approved May 27, 1852, provides as follows: "The Governor, Auditor, and Treasurer of State are hereby authorized to procure a temporary loan of money sufficient in amount to meet the deficiency in the Treasury, should any such occur, to pay the semi-annual dividends of interest on the State debt."

It is a necessary construction of the above sec-



tion that if there be money in the Treasury the interest shall be paid. It is predicated upon the obligation of the State punctually to pay the interest on her debt, and assumes the existence of all legislation necessary for that purpose.

Further argument is unnecessary. By his decision upon the act of 1855, regulating fees, the Attorney General has overruled the principles he sought to establish in his first opinion, and has recognized a rule broader even than is necessary to authorize the payment of the interest on the public debt. The law is plain, the money is in the Treasury, and if the interest is not paid the responsibility will rest with those officers upon whom the law has devolved the duty of making the payment.

Very respectfully yours,

OLIVER P. MORTON,

Governor of Indiana.

## CHAPTER XI.

Speech of Gov. Morton at New York city—Proclamation—Oration at Centerville on July 4th, 1863.—Compliment paid by citizens of Cincinnati to Gov. Morton, July 20th, 1863.

In this chapter we present the principal speeches and State papers of Governor Morton, during the year now closing, and as we are concluding this part of our work, it is due to the Governor and his immediate friends, to say that we have been compelled to omit speeches and valuable papers for the want of room. We also, briefly state that neither the manuscript or proof sheets have been submitted to the Governor or any of his confidential clerks for examination. All we say and publish is done on our own individual responsibility.

SPEECH OF GOV. MORTON AT NEW YORK CITY, DELIVERED APRIL 11TH, 1863, AT A MASS MEETING ASSEMBLED FOR THE PURPOSE OF COMMEMORATING THE ATTACK UPON FORT SUMTER.

Gov. MORTON said:—We have assembled for the purpose of commemorating the attack upon Fort Sumter. What purpose have we in commemorating that attack? Previous to that time the American people had been divided into two parties. The previous progress of the rebellion had failed to arouse the nation, which seemed as if affected with

a dreadful nightmare. But the firing on Fort Sumter had the effect of healing our dissensions, of bringing us together, and of arousing the people; and as its capture produced such an effect, I hope its recapture will rekindle the spirit of reunion. There have been those who have undertaken to paralyze the arm of the Government, but I believe there will be a disposition among the people to rally around the standard of the country and sustain it until it is carried forward to victory.

The first question is, Who made this war? There are those who say this is an abolition war, gotten up for the purpose of effecting negro equality. But the war began thirty years ago with nullification, which was suppressed by the iron will and strong arm of Gen. Jackson. The prediction was made by Gen. Jackson at that time, that the next pretext for the dissolution of the Union would be the slavery question; and since that time the preparations have been in progress to commence that struggle. The leaders were willing to postpone the rebellion so long as they could control the Government. But as soon as they saw the reins of power departing, they made actual preparations for an immediate attack. Secretaries Floyd and Toucey used their influence as officers of the Government to pave the way for the rebellion, by scattering the army and navy. Cobb made it his business to impoverish the Treasury and depreciate the Government credit, and he even went so far as to make

arrangements for allowing the Government paper to be protested. The scheme was only frustrated by the patriotic action of the banks of New York, which came forward and voluntarily prevented such a disgrace to the national credit.

Immediately after the election of Mr. Lincoln, and at the time of his inauguration, when the rebels had an immense army in the field trained and armed, Mr. Buchanan proclaimed that the Government had no power for self-preservation. These preparations went on under the eye of Mr. Buchanan throughout his administration, and his innocence of complicity with the movement can only be believed by making the largest allowances for his imbecility.

The preparations for the reduction of Fort Sumter were made directly and deliberately under its guns, and, when the preparations were complete, the batteries were opened, and the beleaguered garrison, after a gallant defense, was finally compelled to surrender. The Government, was therefore, acting solely in self-defense. It was fighting a battle forced upon it, and which it could not refuse to accept. But what has the South to gain by the war? What is the purpose? Some men assert that we are but a congregation of independent states—each at liberty to withdraw at any time. I belong to the party that believes that there is an American people, and that the various governments of states, counties and towns, are but parts of a united and

indissoluble Government. Yet there is a class of men like Fernando Wood (I apologize for mentioning so obnoxious a name) men who assert that the South was forced into the war for her own protection—that is, *that to secure her rights under the Constitution, the South must destroy the Constitution itself*. But the first official declaration of the so-called Confederacy was a denial of any apprehension on the part of the South that the North would deprive her of any constitutional rights. What, then, is the Southern purpose in the war? It is for the purpose of uprooting the democratic principle, and for establishing the aristocratic principle. Mr. Stephens, the vice president, has declared that their government is established with slavery as a foundation, and that such a Government is established for the first time.

But how shall the war be ended?

There are three ways. The first way to settle it is to concede to the demands of the South, and consent to a separation. The second way is to call a convention and consent to the reconstruction of the Union, with the New England States left out. The third method is to suppress the rebellion and conquer a peace. The first method would lose to us the Border States. It would lose to us our National capital. True, we might build a new capital, and build it in a much better locality. The next consequence would be the surrender of the Mississippi; making the Northwest tributary to the Con-

federacy. This would raise up a party in favor of annexation to the South. Such a party would be powerful, and since it could not carry its scheme at first, would doubtless start the project of a Northwestern Confederacy, as preliminary to the project of annexation to the Southern Confederacy. The geographical conformation of the country would tend to aid such a project, so that, when the work of disintegration commenced, it would go on until our country, once powerful, would be utterly deprived of its power, and end in internal ruin.

The second plan of peace would result in the establishment of another Union, with the South as the dominant power—fifteen slave states to thirteen free states. The South would then take care to preserve its power by preventing the admission of any more free States. But what has been the offense of New England? She has loved liberty too well and slavery too little. To New England we owe the Revolutionary war and all its glorious consequences. New England gave more soldiers to the Revolution than all the Southern states put together. We are asked to discard the loyal states in order to get back the disloyal—the vipers. We will bring back the viper—South Carolina—but it will be when its fangs are extracted. Yet this scheme has its advocates in your city. I will dismiss it as repugnant to you all. I now come to the third method of peace—that of conquering the rebellion. We are an impatient people, and anxious for too speedy a victory.

We have already accomplished much, as we have one half the rebel territory and one third of its population. We are a grumbling people by nature. We grumble at the President, but, considering the trying circumstances, Mr. Lincoln has done his duty nobly. He is more than man who should not make some mistakes under such circumstances. The people have a thorough conviction of the President's unimpeachable loyalty. If he has committed errors, they are of the head, and not of the heart. Secretary Stanton is devoted to the cause in which we are engaged, and there is nothing half-hearted about him; and history will record his name on her brightest page. Secretary Chase received the Treasury from Cobb without a single grain in it. But the national credit was never better than now, and we have disappointed the world by carrying on the war without asking the loan of a dollar from Europe. The war is to be carried on only through the instrumentality of the army and navy. The army can only be recruited by conscription, and if the Conscription act is not acceptable to the people, let those men be blamed who encouraged desertion and created the necessity for conscription. The Government has been driven to resort to that system. The \$300 clause is really for the benefit of the poor man, because without it the price of substitutes would run up to even \$1,000. The \$300 clause was inserted for the purpose of aiding the poor man in procuring a substitute.

Another instrumentality of the Government is the raising of negro troops. What objection does any one see to that? We use horses and mules, and even gunpowder, which is black. I am in favor of using anything to put down the rebellion, even dogs and tomcats, if they could be of any use. The use of negro troops is simply a question of expediency, and if they can not be made available they will not be used. The use of such troops will, I think, do away with the necessity of drafting so many white men. The copperheads really insist that the white men shall fight rather than that the negro shall be drafted. Another instrument of the Government in putting down the rebellion is the proclamation of freedom. It is objected to as an unconstitutional measure, but it is as constitutional as any war measure—as the right of blockade, of seizing enemy's property, or any other war measure. Have the rebels any rights under the Constitution that we are bound to respect? It is only around slave property that this panoply of the Constitution is attempted to be thrown. But as slavery is the strength of the rebellion, we are bound to attack that in order to sustain the Government. The proclamation was an experiment, just like the attack on Fredericksburgh or Murfreesboro', and just as constitutional. There has been much talk about the sacred rights of personal liberty, but I think that if any error has been committed, it has been in sending too few, instead of too many to



Fort Lafayette. Such complaints ought to be directed against those who have imprisoned and opposed the loyal Union men of the South. The hope of the rebellion is that the North will become weakened by dissensions and differences, and that then we shall fall an easy prey. Our only salvation is in unity. The strength of the rebellion has been in the fact that the rebels have devoted their whole attention to war. When the North shall do the same thing it will speedily conquer the South. In conclusion let me conjure you by your love for yourselves, your country, your wives and children, to exert your utmost efforts for the suppression of the rebellion.

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#### PROCLAMATION BY THE GOVERNOR.

*To the People of Indiana :*

Whereas, resistance has been made in several cases to the officers engaged in the execution of the Conscription law, and to officers and soldiers engaged in arresting deserters from the army, in which blood has been shed and murder committed ;

And whereas, these acts of resistance to the Government are high crimes, and fraught with great danger to the public peace, and to the honor of the State ; I deem it my duty to *solemnly warn* all persons against resistance to the Government in any form, or hindering or obstructing any officer thereof in the performance of his duties. And, for the

better information of such as have not convenient access to the penal statutes, enacted by the Federal and State Governments, and now in force, I herein set forth certain sections contained in said statutes.

An act of Congress, passed July 31, 1861, reads as follows :

AN ACT TO DEFINE AND PUNISH CERTAIN CONSPIRACIES.

*“Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That if two or more persons, within any State or Territory of the United States, shall conspire together to overthrow, or to put down, or to destroy by force, the Government of the United States, or to oppose by force the authority of the Government of the United States, or to prevent, hinder, or delay, the execution of any law of the United States, or by force to seize, take, or possess any property of the United States against the will or contrary to the authority of the United States; or by any force, or intimidation, or threat, to prevent any person from accepting or holding any office, or trust, or place of confidence under the United States; each and every person so offending shall be guilty of a high crime, and upon conviction thereof in any District or Circuit court of the United States, having jurisdiction thereof, or District or Supreme court of any territory of the United States having jurisdiction thereof, shall be punished by a fine, not less than five hundred dollars and not more than five thousand dollars; or by imprisonment, with or without

hard labor, as the court shall determine, for a period not less than six months nor greater than six years, or by both such fine and imprisonment.”

Any combination, agreement or understanding, forcibly to prevent, hinder or delay the execution of any law of the United States, is by this law made a penal offense, although such combination, agreement, or understanding had not been carried into execution, and clearly covers the case of disloyal societies which are known to exist in several parts of the State.

The twenty-fourth and twenty-fifth sections of the Conscription act, approved March 3d, 1863, read as follows :

SECTION 24. “*And be it further enacted,* That every person not subject to the rules and articles of war, who shall procure or entice or attempt to procure and entice a soldier in the service of the United States, to desert; or who shall harbor, conceal, or give employment to a deserter, or carry him away, knowing him to be such; or who shall purchase from any soldier his arms, equipments, ammunition, uniform, clothing, or any part thereof; and any captain or commanding officer of any ship or vessel, or any superintendent, or conductor of any rail road or any other public conveyance, carrying away any such soldier as one of his crew or otherwise, knowing him to have deserted, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discre-

tion of any court having cognizance of the same, in any sum not exceeding five hundred dollars, and he shall be imprisoned not exceeding two years nor less than six months.

SECTION 25. "*And be it further enacted*, That if any person shall resist any such draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such draft, or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto; or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted men not to appear at the place of rendezvous, or willfully dissuade them from the performance of military duty as required by law, such persons shall be subject to summary arrest by the provost marshal, and shall be forthwith delivered to the civil authorities, and upon conviction thereof be punished by a fine, not exceeding five hundred dollars, or by imprisonment, not exceeding two years, or by both of said punishments."

These sections are very broad and cover every form of opposition to the arrest of deserters, and the enforcement of the Conscription law.

By the 25th section it is made a high penal offence to counsel or aid any person to resist the draft; to counsel any person to assault or hinder any officer in making the draft; to counsel any drafted man not to appear at the place of rendez-

vous, or willfully dissuade him from the performance of military duty, as required by law. To bring a case within this section, it is not necessary that there should be a conspiracy or combination.

If one man shall give to another the counsel or advice prohibited in the section, he is subject to the punishment it prescribes. Nor is it material how he shall give his counsel or advice, whether by public speaking, publishing in pamphlets or newspapers, or by private conversation. Nor is it material that such counsel or advice shall be direct and in terms. The law holds a man responsible for the natural and legitimate consequences of his acts; so also for the natural and legitimate effects of what he may say. If what he speaks and publishes is naturally and reasonably calculated to excite the hatred of men against our Government, and resistance to the Conscription law, he is within the purview of the section, although in the conclusion he might insert a saving clause, by formally declaring that the laws must be obeyed, and no resistance offered to the Government. In such a case the law will look to the spirit and treasonable effect of what is said, and not to the mere words employed.

It is within my knowledge that public speakers and editors have presented to their hearers and readers every statement, argument, and motive that could excite them to hatred of the Government and resistance to the laws, but, for their own protection, have interlarded their discourses with set phrases

that there must be no violence or resistance to the laws. Such men are cowardly and treacherous, as they exort others to do what they are unwilling to do themselves, and seek to put their advice in a form for which they will not be held responsible. The subterfuge will not avail against the provisions of the section I am considering.

The Legislature of Indiana, at the extra session in 1861, passed "An act to define certain felonies, and provide for the punishment of persons guilty thereof," approved May 9th. The 1st section of that act reads as tollows :

SECTION 1. "*Be it enacted by the General Assembly of the State of Indiana,* That any person or persons belonging to or residing within this State, or under the protection of its laws, who shall take or accept a commission or commissions from any person or persons, State or States, or other enemies of this State, or of the United States, or who shall knowingly and willingly aid or assist any enemies in open war, or persons in rebellion against this State or the United States, by joining their armies, or by enlisting or procuring, or persuading others to enlist for that purpose, or by furnishing such persons or enemies in rebellion with arms or ammunition, or provisions, or any other articles for their aid or comfort, or by shipping, sending, or carrying to such enemies, or rebels, or their agents, any arms, ammunition or provisions, or other articles for their aid or comfort, or by carrying on a traitorous cor-

respondence with them or shall form, or be in any wise concerned in forming any combination, or plot or conspiracy for betraying this State or the United States, or the armed forces of either, into the hands or power of any foreign enemy, or of any organized or pretended government engaged in resisting the laws or authority of the Government of the United States of America, or shall give or send any intelligence to any such enemies or pretended government, or their forces, for that purpose, every person so offending shall upon conviction thereof be imprisoned in the State Prison for a term not less than two nor more than twenty-one years, and be fined a sum not exceeding ten thousand dollars.”

This section is very broad in its character, and comprehends all organizations having for their purpose resistance to any of the laws of the United States, or which are intended to weaken the power of the Government and disable it from suppressing the rebellion—thus giving aid and comfort to our enemies. It having been enacted by the Legislature of the State, it is especially commended to the consideration of such persons as are tainted with the dangerous heresy that their allegiance is due to the State, and not to the United States.

The offenses defined and punished in the statutes I have quoted, are below the grade of treason, and the guilt of the accused party may be established by one credible witness, or by circumstantial evidence, as in ordinary criminal prosecutions.

It will be my purpose in the future, as in the past, to do my whole duty to the Government of the United States and the people of Indiana. In the administration of the law, and the performance of official duties, I recognize no parties.

All who obey the laws, keep the peace, and discharge their duties as citizens, are alike entitled to, and will receive protection in person and property. The alarm which some are attempting to create of the improper interference of the military authorities, may be dismissed as without foundation.

The right of the people peaceably to assemble and petition for a redress of grievances, and speak and publish their opinions touching the policy of the Government, or the conduct of the war, must be respected, and the enjoyment of it protected. But there is a wide difference between the legitimate exercises of this right and that unbridled license of speech which seeks, by the assertion of the most atrocious falsehoods, to exasperate the people to madness and drive them into a position of neutrality between their Government and the rebels, if not into the very arms of the rebellion, combine them in dangerous societies, provoke them to resist the laws, and thus contribute directly to weaken our own Government and strengthen the cause of the enemy.

The criticism of one who is friendly to the Government, and who is anxious that it shall succeed and be preserved, and who points out its errors that



they may be corrected, is wholly different from the denunciation which seeks to bring the Government into contempt and render it odious to the people, thereby withdrawing from it that natural support so necessary to its life, when struggling in battle with a powerful enemy. The one can never be mistaken for the other.

It must be borne in mind that the exercise of the plainest rights and privileges may be greatly modified by surrounding circumstances; that what may be proper or innocent and harmless at one time, may be dangerous and criminal at another.

To advocate the right of secession and rebellion, or the dissolution of our Government, might be harmless enough in time of profound peace, but when the country is engaged in a desperate civil war, which is consuming the best blood and treasure of the nation, and the misfortune of arms might within a few days, bring the enemy upon the soil of our State, will it be contended that the privilege of free speech gives the right to advocate the rebellion, resistance to our own Government, or the abandonment of it to its enemies? That which is idle talk in time of peace may become "aid and comfort to the enemy," and punishable by the laws of the land, when that enemy is at our doors.

Let me exhort the people to moderation and submission to the laws, and laying aside their resentments and prejudices, to take counsel only of their duties and the dangers which threaten the nation;

and while I assure them that protection shall be extended to life, liberty, and property, and that equal and exact justice shall be administered to all, I would impress them with the fact, that if needs be, the whole power of the State and Nation will be invoked to execute the laws, preserve the public peace, and bring offenders to punishment.

Given under my hand at the city of Indianapolis, Indiana, this 11th day of June, A. D. 1863.

O. P. MORTON,  
Governor of Indiana.

Executive Department.

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AN ORATION DELIVERED BY GOVERNOR MORTON AT  
CENTERVILLE, INDIANA, ON THE FOURTH DAY OF  
JULY, 1863.

The marshal, Leafe Develin, Esq., gracefully introduced the orator as follows:

*Fellow-citizens, friends and neighbors:* I am proud of having the opportunity, on this interesting occasion, of introducing to your attention His Excellency Governor Morton, not only the Executive of the noble State of Indiana, but pre-eminently the citizen's guardian and the soldier's friend.

The Governor then proceeded with the following impromptu address, which we have considerably abridged:

*Fellow-citizens:* I appear before you under circumstances the most solemn and impressive. You

have often before met to celebrate the independence of your country, but never under circumstances like the present. Many of our brave soldiers are doubtless bleeding to day in defense of our country and her free institutions. Our own fathers, brothers, sons, and husbands are in the very front of battle, and almost every flash along the wire tells us of loved ones who have bravely fallen. Let us endeavor to realize the difference between them and ourselves to-day. They are falling in the great struggle for the preservation of the freedom under which we are enabled to assemble in peace in remembrance of the sacrifices of our heroic fathers of the revolution, in securing for America the freedom and nationality that traitors are now seeking to overthrow.

Eighty-seven years ago to-day a most illustrious convention of devoted men proclaimed the birth of our nation. Thus began our national life, and what I have to say to you will be mainly a commentary upon the sacred instrument that has just been read. Such is the pressure of my public duties that I have had scarcely an hour's thought in preparation for this occasion, and I must speak to you as the truth is burning in my heart, or I must not speak at all.

#### HUMAN EQUALITY.

For what, fellow-citizens, is that instrument especially distinguished? Apart from a long list of grievances, there are three or four important mat-

ters set forth, to which I desire to call your attention.

1. In the first place our fathers declared that "all mankind are created free and equal, and are entitled to certain inalienable rights, among which are life, liberty and the pursuit of happiness." They announced the fundamental principles on which the new government was to be established. In this they only addressed the conscience of the world,—the common sense of mankind in reference to self-evident truths.

What did they mean by the idea that all mankind are created equal? They did not mean equal in power, physical, intellectual or moral; but simply that all are entitled to the same rights, that the same justice presides over all, and all should be held as "equal before the law," which should be no respecter of persons.

Those, therefore, who cavil at this declaration of equality as logically unsound, betray their lack of respect for free principles and popular government. That the rights of all mankind are the same, is the great truth that lies at the foundation of our Government.

#### INALIENABLE RIGHTS.

2. All "are entitled to certain inalienable rights." This is the fundamental distinction between the theory of our Constitution and that of the British government. The theory of Great Britain is

that the people are entitled to no rights except those which may be granted to them from the Crown. The Lords of Runimede extorted from the King the privileges of the Magna Charta, which are held to have been a grant from the Crown. But we hold that the liberties of man are derived from God, and not from crowns, constitutions, or magna chartas, and that they are inalienable.

What is meant by inalienable in this connection? These rights can not be sold or rightfully given up by the people or any individual. They pertain to him as man, and are essential to his existence as a man. No one has a right to sell himself, because he was born for certain duties and should be free to discharge them. No one can deprive himself, by any instrument, however solemn, of the privileges of exercising the liberties with which he was created.

#### AN INDIVISIBLE NATIONALITY.

Our fathers also proclaimed, in the most solemn form, the principle that the Colonies constituted but one nation. They did not act as the people of thirteen independent Colonies, but as one individual people. This vital and most important truth is announced in the first sentence of the Declaration: "When in the course of human events it becomes necessary for One People," etc. As *one people* they dissolved their connection with, and dependence upon, the British crown. And at the close of the instrument the same principle is declared.

Thus it is evident that the first thought in the minds of the patriots of the Revolution, was that they were dealing as ONE PEOPLE not as Colonies, in a separate municipal or civil capacity, but as an undivided people.

The same principle was announced by the Convention of 1787, the first words of the Constitution being: "We, the people, in order to form a more perfect Union," etc. They were particular in stating that it was not in the capacity of the several States that they acted; but that the Constitution was a compact of the people of all the States as one *people*.

#### PRINCIPLES INVOLVED IN THE WAR.

There are two theories in collision in this bloody contest. On one hand it is held that we are not such a people as the American nation, but that we are thirty-four independent States, constituting a compact from which they can withdraw at pleasure. The other theory is that we are a unit, one and indivisible; that we are not separable into parts, but constitute a whole nation for common purposes clearly defined in the Constitution. As the States are divided into counties, all of which constitute the State: so the nation is divided into States, all of which constitute the National government.

When certain States undertook the treasonable work of secession they issued a declaration omitting or repudiating all the fundamental principles announced by our fathers. They start out with:

“We, the deputies of the several States of South Carolina, Georgia, &c., do ordain this celebration.” Thus clearly implying that the fathers did act as *one people*, while the Southern States in secession act as separate governments. I allude to these things to show that this war is a war to subvert the principles which our fathers promulgated eighty-seven years ago; and ours is now the great duty of maintaining and preserving them, to-wit, the great principles of human equality, human rights, and an indivisible nationality. And on such an occasion as this, while the best blood of the land is flowing like a river to maintain the doctrines of the Declaration, he who can stand up and speak to the people without referring to these matters, can have but little heart or head, and none of the spirit of his ancestors. We are standing, as it were, on the brink of the Nation’s grave, and an unlucky accident may be fatal. It therefore becomes us at this hour seriously to consider what we are fighting for.

#### SECESSION.

It is not material how the war began. Enough that we are in a war for national preservation, compared to which the Revolution was a mere skirmish. Though it is interesting to consider the causes of the war, yet how reckless would be the man who, seeing one drowning, should stop to inquire how he got into the water before attempting to rescue him. Save him first, and then make all

interesting inquiries in the case. We are in the war, and it is important in some respects, for the satisfaction of conscience, to make some reference to the origin of the war. Thirty years ago South Carolina attempted to destroy the government, but the hero of New Orleans was President, and though he crushed the treason at that time, yet the seeds remained and germinated on a larger scale, till several States were corrupted by the delusion.

[The orator then reviewed the plunder of the government in view of secession, the unmolested preparations for bombarding Fort Sumter, beginning in January, 1861, and ending with the lowering of the flag to traitors in the following April. He also considered the object of rebels, to-wit, the destruction of the government, the overthrow of free principles, and the establishment of an aristocracy. He then came to the question so interesting to us all.]

#### ABOUT PEACE.

How can peace be restored with the restoration of our country? By some it is said that we can have peace by abandoning the conflict; that we can proclaim an armistice, and negotiate for peace. To have an armistice some one must ask for it. The rebels won't ask for it, and therefore we must. Should they ask for it, we should very naturally infer that they were in very straightened circumstances; and should we ask for it, they would conclude the same thing of us.



Should we ask it, what would be their reply? They have told us time and again, that they would not treat with us till we should withdraw our armies. This they make a condition precedent to a convention for treating of peace.

Suppose, then, that we have taken the first necessary step, withdrawn our army, raised the blockade, and are assembled in convention at Louisville or Nashville, to negotiate for peace. They at once tell us that they will not commence the discussion until we acknowledge their independence. We may be startled by their bold demand, but we soon find that an acknowledgment is indispensable, and at once sign and deliver to traitors the bond for our national destruction.

Now we come to the question of peace, and the first inquiry is where shall be the boundary? We say it must be south of Missouri, Kentucky, etc., but they most emphatically say, "No, we will not relinquish one of the slave States. Every one of them is a star on our flag, and all of them have representatives and senators in our congress, and we will not have peace until all the slave States are conceded to us." Thus, we shall be compelled to permit them to coerce the four border States to the embrace of their hateful Confederacy!

What then do we lose? We lose the Capital, as the District of Columbia is within the territory they demand. We lose, also, the control of the Mississippi river. Some of you say, "Not so; they once

offered us the free navigation of that great channel of commerce." But you must remember that this offer was before they had created so heavy a war debt, and now they will say to us that we shall not send to market on its bosom a single barrel of flour without paying a duty upon it. In response, we say that we can not relinquish the freedom of navigation on the Mississippi. To which they reply most emphatically, "*Then we will have no peace.*"

Thus, while we are negotiating toward our own dishonor and destruction, they are selling millions of dollars worth of cotton to England, building an iron-clad fleet, and preparing to renew the war with more bloody desperation than before! We should be unable to renew the conflict. They will have gained every advantage, and we be compelled to bow to their will.

They tell us in the next place that they will not have peace unless we will pay at least a part of their war debt. You reply that we must then return to arms. Ah, it is too late! We can not renew the contest. Our armies are disbanded; we are powerless, and must accept their terms. We thus find ourselves compelled to see our Government destroyed and ourselves entirely ruined! I ask you as patriots, who love your country supremely above every thing else of earth, are you prepared to play the part I have described in this humiliating scene?

## FURTHER DISINTEGRATIONS.

Thus shut out from the Gulf and cut off from the East, what will be the next act of this terrible tragedy? We will not submit to the burden of both debts, and disintegration will go on. The South has saddled its debt upon us, has made a most glorious peace out of us, and we shall be left to play the scoundrel's part in repudiation by further secessions, war and bloodshed. Thus we should be broken, destroyed and disgraced before the world for all time to come. The fatal consequences fall upon all alike. We are all in the same boat. We can not have peace in this way. It is a physical, intellectual and moral impossibility.

## WE MUST FIGHT.

We have no other alternative than to fight out the war. Our only safety is in the complete suppression of the rebellion.

We must conquer at whatever cost. It will cost us every thing not to do it, and do it we must. Our fathers waged a seven years' war to secure our liberties, and can we not fight seven years, if necessary, to preserve them. We must not look for peace in any other way.

But to fight it out we must have an army. The army in the field must be recruited and sustained. That glorious army! What emotions the thought of it enkindles in my breast! We should love it beyond all things else on earth. But I fear we do

not love it as well as we should! How many of these brave soldiers have gone down in the contest, leaving weeping wives, mothers and sisters, to whom they were as dear as any are to us! And shall we now desert them? Look at that battle-shattered flag [pointing to the riddled flag of the brave Nineteenth Indiana, hanging from the platform]. The sad news comes to us to-day that more than half of what remained of that gallant regiment have met a soldier's and a patriot's death in the battle now going on!

Our glorious Government has given us all our prosperity. Even now these Northern States are flourishing as they never flourished before. I was struck with this fact in a recent visit to New York. There and every where all branches of business are more active than ever before. The great marts of trade eclipse every thing ever known in this country, and were it not for the news of battles and the loss of dear kindred and friends, we should not know we were in a war. Have we given of our substance with patriotic liberality to the relief of the sick and wounded, and the support of the dependent families of soldiers who have fallen to procure for us every thing sacred and glorious?

WE MUST HAVE AN ARMY.

We must have an army. How shall we have it? Is it a party question? Great God! that one should think of party when such a question is asked!

What multitudes have fallen and died in the hospitals, that are still full of sick and wounded! The army must be recruited. Let every one take this great fact home to himself, and fill up the ranks. We shall ultimately succeed.

The army must be filled up by conscription, and he who stands in the way courts his own destruction. Not destruction in honorable battle, but a most ignoble destruction as an enemy of his country. The Government will every where enforce the law.

#### CONSCRIPTION.

Objections have been urged against the Conscription act. I was not entirely satisfied with it myself. I would not have inserted the \$300 clause, for the object is to get men, not money. A small draft was made under the last levy, in Indiana, and the price of substitutes ranged from \$300 to \$800, when the term was only nine months. Now when the draft is to be for the war, the price will run much higher. The clause was inserted for the benefit of the poor man; but I would have required every drafted man to either go or furnish his own substitute. But it is the law, and I shall stand by it as it is, and enforce it in good faith, equally and every where. To prosecute the war we must have the means. Providence works by means, and we must employ them. It is a Spanish proverb that "Providence helps those who help themselves."

What are the means? The army and the navy.

The army has hitherto been confined to one single race. It is the bodies of our brethren that are decomposing upon the bloody ground or mingling with the winds. We must use *all* the means at our command.

#### NEGRO ENLISTMENTS.

There is in the South a population of 4,250,000 of another race, who can furnish the usual proportion of able-bodied men. If we refuse to employ these, we must, the more of us, go ourselves, to breast all the dangers and endure the hardships of war.

Is it not right to employ *all the means*? Most certainly it is! This is the response of the common sense of mankind. Even if the negroes will not make as good soldiers, let us make what use of them we can. If they are only a quarter as good, let us have the quarter. If they can be made to save the blood of our fathers, brothers and sons, shall they not be employed? But you all know that they have been tried, and have fought with distinguished valor. The recruiting of negroes is rapidly going on. We have already 30,000 in the field, and the number will soon swell to 100,000.

Suppose one of those who say, fight it out without the negro or not fight at all, were drafted, and the choice given him to go or send a negro in his place, I think that he would succeed in conquering his prejudices and say, *let the negro go*. We shall garrison the South with negroes, and every one we

enlist enables one of us to stay at home. We employ every other instrumentality, and what reason can be urged against employing the negro power?

### THE MORAL QUESTION.

But I must speak of one thing that you can no more overlook than you can overlook the sun that is now beaming down upon us. We have now approached the condition in which the moral questions involved in slavery are overwhelmed by the physical necessity of the case. The question is not whether slavery is wrong, but whether we can use the slaves in putting down the rebellion.

The rebels employ the negroes, and even put tomahawks into the hands of the Indians, against us. They provide food, perform all the labor of the camp, on the march and to the field. If we withdraw their slaves their masters must go home to provide against the starvation of their families. If the rebels against the Government can use them for its destruction shall we not be permitted to use them for our national preservation?

### CONSTITUTIONALITIES.

But we hear much about unconstitutionality in reference to this question. Chief Justice Taney has recently decided the blockade to be unconstitutional, and yet there is not a word in the Constitution in reference to a blockade. So with many other things. The fathers did not deem it necessary to

insert the laws of war in the Constitution. The blockade is a right of war—it cripples the enemy, and any thing else that would damage the enemy is constitutional for the same reason. What constitutional right have we to destroy the mills of the enemy? The right of a belligerent, that would be false to itself if it did not destroy all means of sustaining the enemy. Provisions go before war. Destroy their provisions and the enemy becomes powerless. Hence the right to blockade, burn mills, seize cattle, &c., &c.

Carry it a little further. There are slaves that produce food for the enemy, without which he could not butcher our relatives and friends. Have we not the same right to cripple him in this respect, that we have to blockade him, burn his mills and capture his mules? The question is not whether slavery is protected by the Constitution—but does it support the enemy? is the only question to consider. The Constitution protects commerce, but we blockade; it protects mills and mules, but we seize the one and burn the other. So with the slaves; they sustain the foe, let us turn them against him.

#### OUR GLORIOUS ARMY.

[The orator now returned to the army, and made a most effective appeal for its support. He paid a high and deserved tribute to the soldiers of Indiana.]

How gallantly have the Indiana troops borne



themselves in this war? Where and when have they turned from the foe? Indiana was disgraced in the Mexican war by the misrepresentation of that king of traitors, Jeff. Davis; but that dishonor has been most effectually wiped out. Who is now ashamed of being called a Hoosier? Formerly we found men anxious to have it known that they were born in Kentucky, Pennsylvania, or some other State, but now they are very well reconciled to the fact of having been born in Indiana.

But we must remember the army. Shall we stand here to day quibbling about terms while twenty thousand of our friends are falling in battle? Let us rise to the height of the argument, and discharge the duties of the hour for the sake of both the present and the future,

[The orator continued in a touching appeal for sympathy and liberality in behalf of the soldiers and their families.]

We promised to provide for their wives and children when they left for the field. Have we fulfilled our promises? Do we send their children to school? Let every one ask the question whether he has contributed as he should in their behalf.

In conclusion, let us all go to our several homes, resolved to do our whole duty, come what will. Let us show that we possess a wholesome reverence for our institutions, and veneration for our fathers. Let us do our duty, our whole duty, and nothing short of our duty, in this crisis of our country.

## COMPLIMENTARY CALL ON GOVERNOR MORTON.

JULY 20TH, 1863.

Governor Morton, of our sister State of Indiana, being in the city last evening, a committee of the City Council, Messrs. Weasner, Hayden and Johnston, improved the occasion of presenting to him a resolution adopted by the Council some weeks since, asking him to sit for a portrait, to be hung up in the City Hall. They met him in a reception room of the Burnet House, where were present, also, a number of the leading citizens of the city.

After the Governor had been introduced to the gentlemen, Mr. Weasner as President of the Council, addressed him, and referred to the action of that body in soliciting him to sit for a portrait, and presented him with a copy of the resolution. He then continued: "Of all the men in civil life, during these troublesome times, we say to you that we regard you as standing foremost of them all in the performance of your patriotic duties. I know that in the hearts of the citizens of Cincinnati no man is held in higher esteem than Governor Morton, of Indiana. Whenever a crisis has arrived, you have always been ready to meet it. Whenever the Government has wanted soldiers you have found a way to furnish them. You have always been up to the occasion. And during our own troubles, here, last fall, we felt that we were especially much indebted to you. When we called for help, your response was prompt and efficient."

Mr. Weasner then said that it was in consideration of the timely aid thus rendered, as well as their estimation of his services to the nation, that the City Council passed the resolution referred to. They regarded the possession of his portrait and its preservation in the City Hall, as the most fitting way of holding his services in the most grateful remembrance.

Governor Morton responded :

*Gentlemen of the Committee*:—I should certainly be very insensible if I did not feel flattered and gratified with what you have said. So far as any assistance that I have rendered to Cincinnati is concerned I did no more than was my duty, and I ought to have done more if I could. Although I live in Indiana, I spent a considerable portion of my boyhood near Cincinnati, and when I come among you I feel very much as though I were at home. As to what I have done in matters connected with the war, I must say that when the war broke out I felt that all I had at stake was bound up in it, and that it was my duty to do all that my energy would enable me to do. And I was placed in a position where I have been able to do something more than others, but I fear I have received more credit for what I have done than I ought to receive.

Allow me, gentlemen, to return to you my warmest thanks for this compliment. I regard it very highly, coming, as it does, from the great Commercial Metropolis of the Northwest. I trust that

Cincinnati has been threatened for the last time during the progress of this war. Recent events have very much cleared away the gloom that lowered on the whole country; and I believe we may say, with some confidence, that the war is measurably over in the Mississippi valley. The great event of the war has transpired, and one which is of special importance to the City of Cincinnati—the opening of the Mississippi river. It is the beginning of the end. I avail myself of this opportunity to tender to you the thanks of the people of Indiana, for the uniform kindness which the soldiers of Indiana have received in passing through your city. This treatment has touched our people most deeply, and there are very few of our people who have not, through their friends, been made acquainted with the circumstances of this hospitality.

When Cincinnati was threatened by the common enemy, it was to us as though a city of Indiana had been threatened, for we have always claimed this as being measurably our own city, bound as it is so closely to our own State, both geographically and commercially. Hence, our people have rallied as promptly to its defense as they would to the defense of any portion of their own State. And besides this, Cincinnati and Ohio are part of our common country, and we have a right to claim the people of Cincinnati as our fellow citizens. But, we hope the end of the war approaches, and as it does approach, we will have new duties

to perform, and greater difficulties to overcome. The great struggle in the settlement of our difficulties, that is to try the wisdom and forbearance of our people, is yet to come, and we should cherish these kind and fraternal feelings.

The Governor (not having intended any lengthy remarks) again thanked the Committee, and through them the people of Cincinnati, for the marked favor shown him, and closed, when the concourse of visitors engaged in general conversation.

## CHAPTER XII.

Miscellaneous correspondence and reasons therefor.

The original design in procuring the following correspondence, was to have embodied its contents in a separate chapter; but as it has proved so different in character from what was expected, or even anticipated, we have, upon reflection, decided to publish it in detail. In itself it affords an interesting chapter, and we trust will be read with pleasure by all who take an interest in the contents of these pages. To say the least that can be said of it, it affords a chapter of evidence in favor of Gov. Morton that is entirely free from prejudice; the contributors thereof, not having been in any one single instance the recipient of favors from the hands of the Executive of the state. It is always pleasant to speak well of those with whom we are associated, or of those whose history and acts we record. If truth and justice demanded the opposite from us, we might be constrained to remain silent. It is perhaps from this reason, and consideration alone, that so many biographies are written: for in such a work, we may not speak of a man unless we can conscientiously extol his virtues, and pass lightly over his vices.

The following letter is the same in matter as those addressed to all the correspondents, and therefore should not be repeated.

INDIANAPOLIS, Oct. 4, 1863.

DEAR SIR:—We are writing the life of Gov. Morton, and desire to make it as full and complete as the nature of the case and circumstances will allow, and therefore ask you to inform us of the state of feeling that exists in the minds of the people of your locality, in reference to the manner in which our Executive has conducted his official business, and any other matters of interest that may have transpired since the commencement of this wicked rebellion.

Respectfully yours,

W. M. FRENCH.

WILSON MORROW, Esq.

BROOKVILLE, Oct. 15, 1863.

DEAR SIR:—In response to your inquiry of the 4th inst., in regard to the feeling of our people in reference to the administration of our present Executive, I feel that it is justly due to him, and I am proud to be able to state, that so far as my knowledge extends, the whole *loyal* people of Eastern Indiana, without distinction of party, are full of admiration and praise of Gov. Morton, for the able and efficient manner in which he has conducted the official business of the State, and his prompt and patriotic efforts to aid in every way possible

the General government in putting down the rebellion. They feel that in Governor Morton they not only have a true friend to the interest of the State, and that his whole administration has been directed to its general welfare, but that he has been a "friend in need" to Indiana's brave soldiers, a true friend to the cause of humanity, and to our good Government. We rest satisfied that our constitutional rights, our social, political and commercial interests, so far as they are under his control, are safe.

The people ought to and will appreciate and admire the faithful public servant, and I believe that I express the almost universal sentiment and feeling of our people toward our present Executive.

The few who denounce him are those who have found him to be an insurmountable barrier in their way, to produce revolution in the northwest, to cripple and destroy the influence and power of the Government, break up the Union and establish a slave oligarchy.

Respectfully yours,

WILSON MORROW.

W. M. FRENCH.

JEFFERSONVILLE, IND., Oct. 19, 1863.

DEAR SIR:—I received your note of the 14th inst., and was rather surprised at its contents, because of your selection of myself as a suitable person to communicate to you anything like a correct description of the public estimation of His



Excellency Gov. O. P. Morton in this portion of the State.

There are many reasons which would justify me in declining such a thing, the most prominent of which is my thorough conviction of my utter incapacity to even approximate to a proper description of the services and merits of that man as entertained by the people of this section of the State, qualified by this exception, which you can readily appreciate, that there exists in this locality, as well as in every other portion of the State, some party politicians who are so blinded by their party prejudices that they would not only withhold from Gov. Morton the due meed of praise, but they would traduce and try to blacken the character of an angel who would not subscribe to their party doctrines; but they are few and far between, and are only the exception to an almost universal public sentiment.

I regret exceedingly my want of ability to use that kind of language which would convey to you the general public estimate of the public life and services of Gov. Morton, not only to his own State, but to the country at large, during her struggle with this gigantic rebellion.

His untiring devotion to his country, and more especially the interest and unbounded zeal manifested by him for the care and comfort of the Indiana soldiers, is too patent in the public mind to be forgotten. The parental care and financial skill

displayed in sustaining the benevolent institutions of the State, in the absence of any provision for the same by the last Legislature, are acts fresh in the recollection of the people in this portion of the State; and it only remains a matter of time for the people, in their gratitude, to reward him in a manner commensurate with his sacrifices and labors in their behalf.

And so far as I have heard the public voice expressed in my intercourse with the people, I have no hesitation in affirming that for genuine patriotism, enlightened statesmanship and untiring devotion to his country's interest, there is no man living who has any stronger hold on the affections of the people, not in this State alone, but in the nation; and my word for the truth of the prediction, when this cruel and unnatural war shall come to an end, and our brave soldiers have returned to their homes and friends, then will those brave men, who have been the objects of Gov. Morton's care and the recipients of many comforts when far from home—then, I say, you will see more distinctly than I can now describe to you, who was the soldiers' friend and who is the man they will "delight to honor."

In conclusion, I will remark that I have sought merely to allude to a few traits in the history of the past few years of Gov. Morton's life and will leave the task of writing anything like a suitable tribute to the labors of that excellent man to abler minds

and those who have had the honor of a more intimate acquaintance. With respect,

I remain yours, &c.,

ELI McCALLEY.

Col. WM. M. FRENCH.

HUNTINGTON, IND., Oct. 13, 1863.

MY DEAR FRIEND:—I am gratified to learn that you are preparing for publication the life of one so closely and so honorably identified with the interests of our State as that of Gov. Morton. Although his official life, of noble, decided, patriotic action, is written in the hearts of the people of the present generation, more especially of our brave soldiers; yet it will be a worthy model to present to our children.

It is an emergency like the present that develops the man of real worth. No Governor of our State has ever had such stubborn difficulties to meet; yet the sentiment of our people is, that he has not only bravely met, but triumphantly overcome them, in every known instance. Even his enemies, who plotted his overthrow, at the risk of civil war in the State, feel that by his decision and energy, they were sadly defeated; showing himself to be the *right* man in the *right* place, at the *right* time.

Our people are proud of their Governor, proud of his patriotic devotion, his promptness to decide, his swiftness to act, and his firmness to sustain the

cause of right, the cause of our country, and the  
cause of humanity.

Yours, &c.,

D. O. DAILY.

Col. WM. M. FRENCH.

LAGRANGE, Ind., Oct. 8, 1863.

DEAR SIR:—I understand that you are writing a biography of Governor Morton, and at your suggestion I give you a short digest of the opinion entertained and expressed by the people of my section, respecting his acts as Governor of the State of Indiana.

I have had moderate political acquaintanceship with him since 1854; and in my capacity as representative from this county and assistant secretary of the Senate, my political and personal knowledge has been more immediate within the last three years.

I never deal in fulsome eulogy, neither have I taken sufficient lessons in political hypocrisy to enable me to speak with a forked tongue.

If my language is fervid it is the result of my education, my expressions the result of careful observation.

I had the *honor* of being enrolled amongst the members of the last house, I could not say the *pleasure*; though I look upon the session of last winter as the most important one that has transpired to Indiana, yet most religiously believe, that no *minority* of the House of Representatives of Indiana ever slept upon as sharp political thorns as we did,

during those sixty days of storm and discord; on more than one occasion we bolted, to save the State from the horrors which the passage of Hanna's Military Bill would have developed. But the majority, with a seeming infatuated devotion to party, having purged themselves of Jeffersonian and Jacksonian democracy, preserving only the symbols and name thereof, guided by an insane, a diseased ambition, felt pride in continually assailing the National and State executives, in embarrassing their efforts to crush the rebellion, because the President's proclamation and other acts of the Administration did not suit their views; in keeping us *degraded* as *legislators* by calling "previous question," and referring nearly all resolutions to their committee on Interments, *alias* the committee on Federal Relations; and in thwarting our efforts to stand by the constituted authorities, and in trying to unite the people of Indiana to the same end.

Carpers and fault finders are found all administrations, however, who through want of observation or bad motives are ready to detract from the just merits of public servants.

Men sometimes do not deserve credit for performing simply their duty.

But those who with alacrity, energy and integrity, seek to come up fully to their responsibilities, whose eyes are ever open to the interests committed to their charge, and who shrink from no toil or effort in these days of political obliquity, are deserv-

ing of commendation and grateful remembrance by the people whom they serve.

Such has been the official course of the present Governor of Indiana.

The noble men who have periled health and life in the perpetuation of the great principles bequeathed to us, who have poured out blood as water upon their country's altar, have had no warmer friend, no more ardent sympathizer, than Oliver P. Morton.

And yet the magnificently absurd charge has been hurled at Lincoln and Morton, that they sought despotic power, that they trampled upon the rights of the citizen.

The whole public history of the men gives falsity to the thought, and renders any such surmise untenable and preposterous.

Their arguments, speeches, and appeals of the past, have placed them for years in the front rank of those, who, in obedience to the ennobling promptings of Liberty, have sought to illustrate to the world the sublime truths of the immortal Declaration of Independence.

We would as soon expect the streams to turn in their courses and run backwards, as to find them advocates of despotism of any kind.

And I am prone to believe that among the galaxy of names of civilians of the recent past, which American history will with pride record as worthy of honorable and respectful mention, will be found

occupying a prominent position that of Oliver P. Morton, the logical, patriotic and energetic Governor of the loyal State of Indiana.

Yours respectfully,

FRANCIS P. GRIFFITH.

WM. M. FRENCH, ESQ.

INDIANAPOLIS, Oct. 17, 1863.

DEAR SIR:—We are writing the last chapters of the life and public services of Gov. O. P. Morton, and desire you to add thereto your opinion of the manner in which he has performed his official duties, in this critical period in the history of our country.

Respectfully yours,

W. M. FRENCH.

Gov. PARIS C. DUNNING,

President of the Indiana Senate.

BLOOMINGTON, Ind., Oct. 24, 1863.

DEAR SIR:—I received your letter of the 17th inst., asking me to “add to the last chapters of the life and public services of Governor O. P. Morton (now being written by yourself), my opinion of the manner in which he has performed his official duties, in this critical period in the history of our country.”

In response thereto, I will state a fact which will be readily admitted by men of all political parties; that at no period since the organization of our Fed-

eral or State government, have the official duties of the chief executive officer of a State been so important, and complicated in their character, nor so difficult to discharge. To perform them aright has required a clear and discriminating mind, indomitable energy, prompted and sustained by a patriotic heart. Governor Morton has displayed in the management of the military department of his gubernatorial duties; a sagacity, judgment, energy and patriotism, which prove him an officer equal to the *crisis* through which he has had to pass. At the breaking out of this cruel and causeless rebellion, the Administration of the National government was unprepared to meet it successfully; the country was almost panic-stricken. Indiana, with the other loyal States of the Union, was called upon suddenly to lay aside her peaceful pursuits, and enter upon her glorious and brilliant career in putting down this rebellion.

During this time Governor Morton has raised, organized, officered, armed, equipped, subsisted and put into the field one hundred and nineteen regiments of volunteers; he has supplied large quantities of munitions of war for the benefit of the army; he has provided in a humane manner for the sick and wounded; the families of volunteers have been made comparatively comfortable; he provided for the bringing home, and placing safely into the hands of the wives and families of sick and wounded soldiers from Indiana, every dollar of their pay with-



out charge. Sanitary commissions have been organized all over the State for their benefit. The people have been urged and entreated by speeches, proclamations and advice, given in almost every conceivable form, to sustain the war and provide for the necessities and comfort of the volunteer soldiery; in all of which patriotic and humane movements, Governor Morton has been a directing and active participant, and for which in my humble and disinterested judgment he deserves and I hope will receive the lasting and substantial gratitude of his country. *He has been, and now is*, emphatically the soldier's friend.

In the discharge of the ordinary civil duties of his office, I have heard no complaint: I presume they have been faithfully performed. What peculiar views (if any), Governor Morton may entertain in reference to the management of this war for the maintenance of the Constitution and the integrity of the Union of the States under it, I know not. What participation (if any), in arbitrary military arrests made in this State, I know not, and of course do not upon those points advance any opinion. I have the honor to be,

Yours very respectfully,

PARIS C. DUNNING.

W. M. FRENCH, Esq.

## CHAPTER XIII.

Governor Morton's character more minutely portrayed—Morgan raid—Concluding lines.

It is a difficult task to write of such a man as Governor Morton while he is still living, with a proud destiny before him, without provoking envy. Death always canonizes a great name, and the seal of the sepulchre excludes from its slumbering tent the breath of envy. Then, the eulogist may fling the reins to fancy, and indulge in the utmost latitude of panegyric, without offense; as the praises of the dead fret not the living. But ours is the severer task, to speak of the living man—to delineate the character and figure of the mind of one whose likeness the loyal people of this Government wish to inscribe in enduring and faithful colors upon their archives, as one especially beloved by the Union soldiers and their families, all over the land.

He is a type of his country, and seeks to mingle with her existence, and ally himself with her fortunes and her fame, and thus transmit his name to remote generations, as an epitome of her genius and her history, and as a signal example of the power of her institutions, not only for the production, but

for the most perfect development of the greatest talents, and the most exalted virtue.

Almost at a single bound he has reached his present exalted position, as the fearless Executive of a great and patriotic State, which so delights to honor him who has done so much for her honor. No ordinary man could have done this, unaided and alone. He was surrounded by no peculiar circumstances, or associations of influence, or of interest. We can not say of him that "circumstances made the man." *He made the circumstances.*

There is, about Governor Morton, an air of practiced ease, a self-possession, a deliberation, as utterly remote from affectation, or impudence, as it is entirely free from confusion, or timidity. Although he has not fairly reached the meridian of life, he moves with the tread of a veteran. There is no impatience for display, no ambitious finery, no straining after effect, about him; but there is a precision and clearness in his statements, an acuteness, a strength and clearness in his arguments, whether oral or written, which bespeak a mind of the greatest original power. And in all this he seems to move in his natural element, as though he had so long and so carefully revolved in his own mind the theater of public affairs, as being the true stage for him, that he stands there, albeit for the first time, without surprise or anxiety. This makes him, to all men curious upon such subjects, altogether worthy of study, and critical analysis.

He is eminently practical, and stands utterly aloof from the extremes of fanaticism—displaying the deepest knowledge of the natural foundations of social prosperity, and the most cautious regard for the existing institutions of government. Equally exempt from the rash spirit of political empiricism, which would tear the subsisting frame of society to pieces in search of that which is abstractly good, and from that worse than cowardice, which, shutting its eyes upon what is absolutely and demonstrably evil, would deepen and extend it, for the reason that it is not perfectly curable—that desperate quackery, which would spread a cancer over the whole body, because it could not be safely extirpated. And hence he takes rank among our wisest, and safest, American statesmen.

The great characteristic of his mind is *strength*, his predominant faculty, *reason*, the aim of his eloquence, *to convince*. His elocution is clear, nervous and perfectly ready, as all can testify who have heard him descant, from time to time, on the present crisis of our country, and plead for our Government, in the fullness of a patriot's soul. He deals not in gaudy ornament, or florid exhibition; no gilded shower of metaphors drowns the sense of his discourse. While he is capable of fervid invective, vehement declamation, and scathing sarcasm, yet, *strength, strength*, is the pervading quality, and there is argument even in his bitterest denunciation of traitors.

Although he is the farthest possible removed from the affectation of mystery, or any asserted and offensive pretension to superiority over other men; and although his manner is exempt, entirely, from the charge of haughtiness, still, at times, he appears as though he neither loved familiarity, nor courted intimacy. But he is bland, courteous, and perfectly respectful in his intercourse—and still there is a distance, an undefinable sort of reserve, unmixed with pride, but full of dignity, keeping frivolity aloof, and attracting at once your curiosity and your interest. You recognize in him, at once, a man of the rarest executive ability.

The master expression, the natural language which breathes from his face, form, step and gesture, is *energy*, unfainting, indomitable, though curbed and regulated energy, which will sustain him through all danger, and under all fortune, and which will, and must bear him on to the utmost mark at which his ambition may aim, and to which his talents are adequate. There is nothing restless, or impatient about him. His is disciplined, deliberate, concentrated energy. He has a managed calmness of general manner, which so often betokens a fiery and excitable temperament, but under the most perfect control—never was a man more entirely master of himself than Gov. Morton. His conversation corresponds with, and deepens the impression which his public services and speeches may have made—showing that he possesses all the quickness

and penetration of a man of true genius, without a spark of wildness or eccentricity. His whole mind is eminently healthy. He has the seriousness of determination, unmixed with gloom or melancholy—and a marble firmness, as well as smoothness, in his style, which speaks of the hardihood and muscle of the Grecian masters. He belongs to that class of minds, who, in every country, and under every form of government, are found the unflinching advocates of national and regulated liberty, a liberty founded in principles fixed and eternal, and which is only safe under the shield and cover of the inviolability of law. The imperial maxim *voluntas principis habet vigorem legis* he totally rejects. He loathes despotism in all its forms, and wherever lodged. He regards the courtier cringing at the footstool of a throne, and the demagogue lauding the absolute power of a mob, as equally the foes of freedom, and as the just objects of the execration of every true patriot. A man of strong convictions, he has always followed where his principles led him, and for a time battled on the side of a minority of his countrymen, but soon saw that minority swell into a victorious majority, which made him the Governor of a great State, at the same time that it made our present Chief Magistrate, the President of a great nation.

There has been little or no gradation in his public career. Coming to the gubernatorial chair at the first outbreak of the rebellion, he seemed to com-

prehend at once, and as if by instinct, the new scene in which he was called to act, and nerved himself for the ponderous duties devolving upon him—and was at once recognized by his State, and by the nation, as a patriot statesman, and a gallant leader. The intrepid boldness of his character and precocious strength of his genius, seem to have smitten all political parties with astonishment. And very many of the leading men of the political party to which he was opposed, pronounced him the most extraordinary man of the nation.

The press has teemed with his praise, the whole country is full of his name; yet he wears his honors with the ease of a familiar dress. He proudly maintains his character undimmed, and his position unshaken, as the fearless executive of the State, and yet as the champion of the integrity of the Government, and the Union of all the States—clinging with undying devotion to the maxim taken from the hero of the Hermitage, "*The Union—the Federal Union, must and shall be preserved.*"

An incident will illustrate the strong impression he has made, and the influence he is exerting in neighboring States. At the time the rebel Confederates were struggling for the possession of Kentucky, it will be remembered that a *quasi* provisional government was established for Kentucky, making the rebel Johnson provisional governor, while Governor Magoffin was the *de facto* governor of the State. Indiana soldiers were swarming all

over the State for its defense, and to drive the rebels from its borders. At this time a controversy arose in the streets of Frankfort, as to who was the real governor of Kentucky. One party warmly contending that *Magoffin* was governor, and another as strongly contending that *Johnson* was the true governor. As the controversy was waxing hot, and the parties were almost ready to come to blows, up steps an honest, brawny soldier, and says he, "Hold on, gentlemen, you are all mistaken. I will settle this controversy, neither of your men are governor of Kentucky, but *Governor Morton of Indiana* is governor of Kentucky, as his soldier boys, with their blue coats, and Enfield rifles will soon show you." The good-humored way in which this was said, set all parties in a good humor, and the crowd dispersed with three cheers for Governor Morton, and three more for the Hoosier soldier whose logic had put them all to silence.

But withal, *Governor Morton* is a man of heart, as well as a man of intellect. He is not only foremost in raising troops for the field, and untiring in his devotion to their welfare and comfort in the field, in camp, or in the hospital, but his regard for the soldier extends to the wife and children left behind. He gives himself no rest while a soldier's family is needing any of the comforts of life. And the brave troops of Indiana, in the perils of battle, or the exposures of the march, are made glad by the knowledge that their own Governor will see to it



that their loved ones at home are provided with every needed comfort—and that while they are fighting the battles of their country, their children shall never cry for bread. And hence, while all his other laurels are green upon his brow—crowning him patriot statesman, soldiers' hands weave a richer, prouder chaplet for his head, and inscribe it "*The Friend of the Soldier—the Friend of the Soldiers' Families.*"

Governor Morton asks no prouder honor, a no more undying fame, whatever may await him at his country's hands.

In the prosecution of the war it does really seem that Gov. Morton has accomplished more than any one had a right to expect. He has not left a task unfinished, a duty unperformed, or an official obligation unfulfilled, as we are able to prove by those who at one time (if not now) leaned directly toward secession. Gov. Morton's executive ability is unsurpassed by any officer of like rank in the Union, his "enemies themselves being judges." The *New York Times* of Nov. 10, 1863, thus speaks of him, in contrasting the position of Indiana with that of New York:

"To what is this vast difference attributable? Certainly not to any difference in patriotism. We will not admit, for a moment, that the masses of the people of New York are inferior to those of Indiana, or any other State, in devotion to the country. There is probably no State which has

derived such an immense advantage from the Union as the Empire State, and not one which has a greater interest in its preservation. Nor can the difference be owing to any difference in the character of the population. That is all in favor of New York. Our cities have a far greater proportion of that floating population from which soldiers can be drawn with least derangement of industry; and also vastly more wealth available for bounties in encouragement of enlistments.

Th edifference is principally due to the fact that Indiana has a governor of pre-eminent devotion to the cause, and signal executive ability, while New York has not. Gov. Morton, from the beginning of the war, has made the military efficiency and honor of his State his *private business*. Under the first call of the President for seventy-five thousand men, in three days he not only raised, armed and equipped and clothed the six regiments, which was the quota of the State, but tendered twenty in addition. And when these were not accepted by the Government, he mustered most of them into the State service, put them in camp, drilled them, until the time came when the Government was glad to take them. When the Government had no first class arms, Gov. Morton caused the State to supply them, which always secured the Indiana soldiers the post of honor in the field. Besides, by constant personal visits to the regiments in service, he saw for himself that every want was supplied. Perma-

ment agents were established at all the principal points to devote special attention to the care of the soldiers, and an agent was placed in Washington whose special business it was to collect back pay, pensions, and other claims for discharged volunteers free of charge. To keep alive the spirit of volunteering, Gov. Morton appointed committees of prominent men in every congressional district, county and township, assigned the proper quota to each, induced county boards to make additional appropriations for bounties, and, by personal visitation, whenever there was any slackness, excited the popular heart to the right, patriotic pitch. He has carried out this method so energetically that those parts of the State, where copperheadism very largely prevails, have been all the while kept square to the line of military duty.

The result of this regular system of stimulating enlistments, and of taking the best possible care of the soldiers when enlisted, has been seen from the beginning in the signal promptness and efficiency which have marked all the military history of Indiana from the beginning of the war. The quota of that State, under the first call for 75,000, was six regiments. No less than twenty were tendered in three days. The National government declining to receive more than six, such portion of the remainder as could be promptly equipped were mustered into the State service, put into camp, drilled, and were completely ready for the field when afterwards

called for. Before the Secretary of War stopped recruiting last year, Indiana had put no less than sixty-three regiments into the field. When Kirby Smith advanced on Cincinnati, Gov. Morton completed the organization of *twenty-four* regiments, mustered, armed, equipped them, and sent them into Kentucky — all within the short space of two weeks; and fourteen thousand of these were sent within the first seven days.

When Morgan invaded the State last summer, though all the National troops in the State had just been sent off, in thirty-six hours 62,000 militia were offered; and of these 32,000 were accepted, armed, equipped, and were dispatched after the invader. Indiana supplied soldiers enough to escape the first draft, and Governor Morton tendered the President 15,000 additional troops as a bonus. Fifteen new regiments will be ready in a fortnight, which will more than meet the last call of the President. Moreover, several of the old regiments are to be brought home and recruited up to their original strength, while large details are to be sent to other regiments in the field which are reduced below the minimum. While many other States have sent most of their regiments into the field at a minimum, Indiana has always made it a point to fill her regiments to the maximum of 1,048. Her regiments now in the service number 119, and in three weeks they will number 134. Such is the

record of a State that has had the benefit of a whole-souled, far-sighted, firm-handed Executive.

Reader, our work is nearly finished. A few more lines and we conclude. We heartily wish we were as near the end of the rebellion as we are to the end of our book, but this wish seems to be a hopeless one; for as we write the concluding lines of the last chapter of this biography the rebellion is still in progress—human life is being sacrificed—the blood of thousands is poured out as if to satiate the appetite of demons, who have inaugurated the ungodly strife. Dark and lowering clouds are over all the land—shadows upon every path; troubles in every heart; mourning in almost every home circle. “No bow of promise yet appears, but borne on the wings of every breeze, come the groans of the dying, while all over the land is heard the wail of the widow and the orphan’s cry.” From the altar of every heart ascends a prayer to the God of battles to stay his hand, and instead of desolating war, send peace; but our prayers are unanswered—we still remain in the whirlpool of destruction, and time alone, that great leveler and arbiter of human events, can determine when and where we shall land. In this wicked world of ours, man proposes, but God disposes. In spite of all our efforts to stay the hand of death, the battle rages furiously, and unceasingly. A cessation of hostilities is only an indication of rest, for a day, that it may be resumed on the morrow with redoubled fury and violence.

A calm is only an indication that a cloud is gathering that may hurry us onward and outward, into the sea of irrecoverable ruin. In this hour of peril, it is comforting to see the masses at work to save the ship. Those that are not actively engaged, stand ready to aid when they are called. Remember that eternal vigilance is the price of liberty. Our public officials, to whom the care and responsibility of this war is committed, are active and vigilant: among whom Governor MORTON stands with the foremost and most industrious.

EDITOR.

INDIANAPOLIS, November, 1863.

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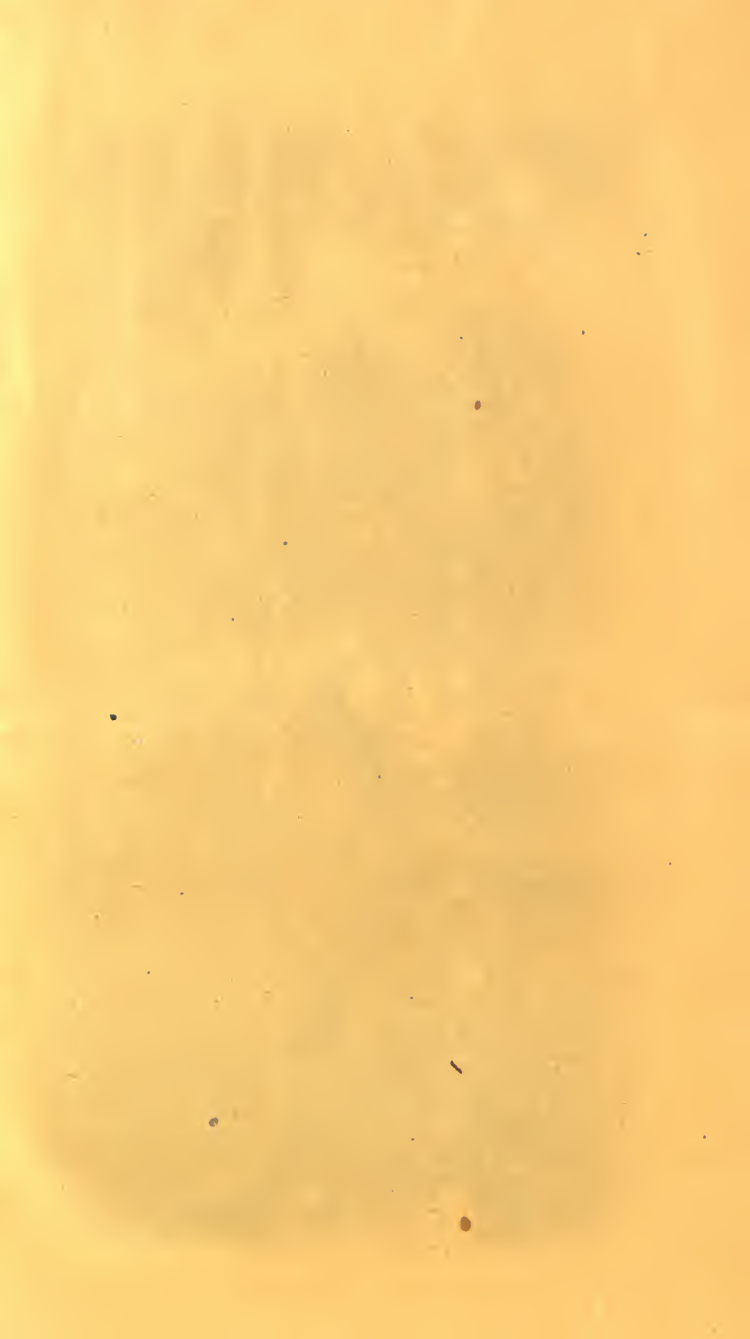
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